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PUBLICATIONS

OF THE

SCOTTISH HISTORY SOCIETY

VOLUME LVI

CHARTERS OF INCHAFFRAY ABBEY

FEBRUARY 1908

CHARTERS

BULLS AND OTHER DOCUMENTS

RELATING TO THE

ABBEY OF INCHAFFRAY

CHIEFLY FROM THE ORIGINALS IN THE CHARTER CHEST OF THE EARL OF KINNOULL

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With Map and Facsimiles

EDINBURGH

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PREFACE

In the year 1847 the Bannatyne Club published, under the title *Liber Insule Missarum*, the Chartulary of Inchaffray, from a transcript of the original at Dupplin Castle, made by Mr. Henry Drummond. The then Earl of Kinnoull permitted the use, 'for a limited period,' of the original, which is stated in the preface to the Bannatyne publication to have been at Abercairney before it reached Dupplin.

In the year 1888 the late Earl of Kinnoull entrusted to the custody of Mr. W. A. Lindsay some boxes of Charters in order that they might be arranged by Mr. J. H. Chapman. The boxes contained the original Charters and Bulls to Inchaffray, of which Mr. Lindsay made a careful note. He found many Charters which had not been entered in the Register. And of those printed in the Bannatyne publication few, if any, were perfectly accurate in their reproduction. Dr. Maitland Thomson, then Curator of the Historical Department of H.M. General Register House, having examined Mr. Lindsay's Note-book for a different purpose, was so impressed with the importance of some of its contents that — his opinion having been reported to the Scottish History Society—Mr. Lindsay was asked if he would edit the Charters for that Society. He replied that he would be happy to collaborate in the task with the Bishop of Edinburgh, who had edited the *Chartulary of the Abbey of Lindores*, if the latter were willing to take part in the work.

In the course of their editorial labours, Mr. Lindsay and Dr. Dowden were in constant communication with Dr. Maitland Thomson, with whom in his official capacity the Charters

were deposited for the Editors' convenience. His services were so extensive that they felt it desirable that his name should appear on the title-page as one of the editors. Dr. Thomson is responsible for the collation of the proof-sheets with the original Deeds, and the footnotes to the text; for the dating and chronological arrangement; for the Notes, signed with the initials 'M. T.', on persons and places, appended to Dr. Dowden's Notes on the several Charters, etc.; for the details of the map, the conception of which is due to Mr. Lindsay; and for the two Appendices which bear his name. The photographic reproduction of the more interesting Charters was made under his direction; and the documents printed from sources other than the Dupplin Charter chest were for the most part collected by him and their inclusion approved by the original editors.

The three editors would now, on behalf of the Society, offer their thanks in the first place to the Earl of Kinnoull for placing at their disposal for publication the Charters and other records which give to this book its chief value and interest; and in the second place to the Duke of Atholl, the Duke of Montrose, Captain P. Blair Oliphant of Ardblair, the custodians of the Vatican Archives, the authorities of Magdalen College, Oxford, of Edinburgh University, and of the Register House, and the Society of Antiquaries of Scot-

to Canon Christopher Wordsworth; to Mr. H. J. Ellis, of the MSS. Department, British Museum; to Dr. George Neilson; to Mr. Andrew Ross, S.S.C., Ross Herald; to Dr. Hay Fleming, Secretary of the Society; and to others to whom specific acknowledgment is made in the Notes and Appendices: to each of whom they now offer their thanks.

The first part of the Introduction, on the abbey and its churches, and the Notes, chiefly on ecclesiastical persons, are the work of Dr. Dowden. The second part of the Introduction, on the Earls of Strathern, other benefactors, and principal persons mentioned in the Charters, is contributed by Mr. Lindsay.

The Dupplin Charters, etc. were transcribed for the Society by Mr. John Macleod. The Index has been prepared by Mr. Alex. Mill of the Signet Library.

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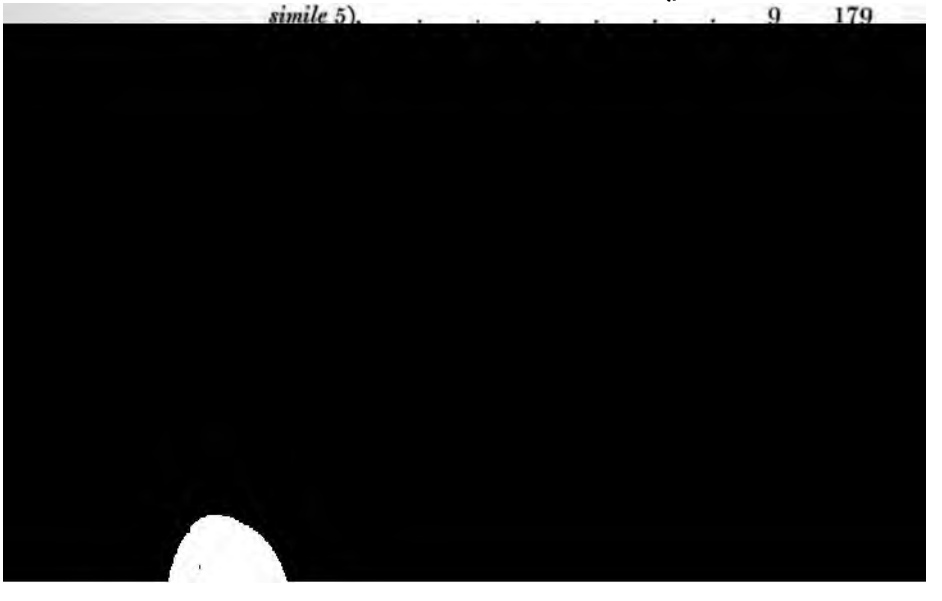

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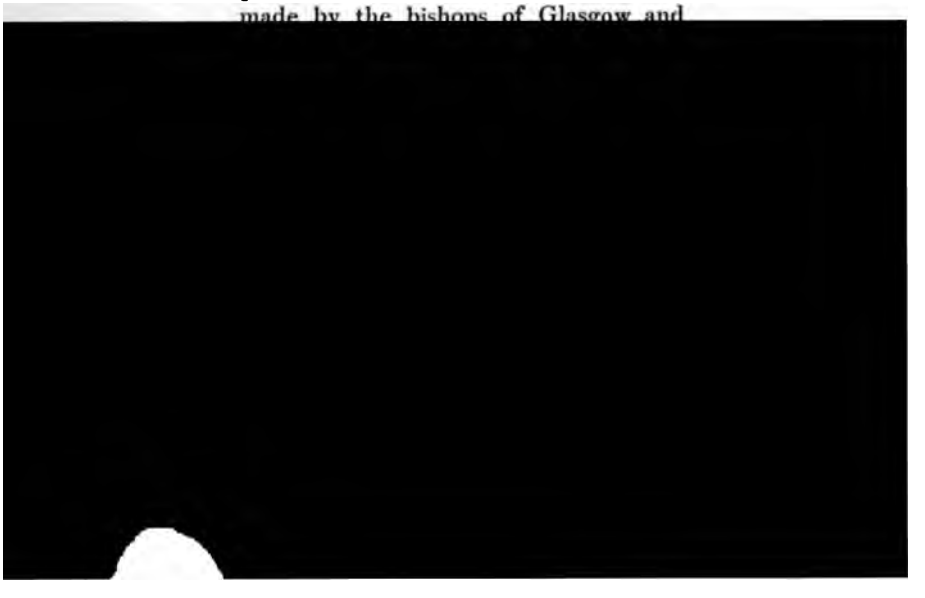

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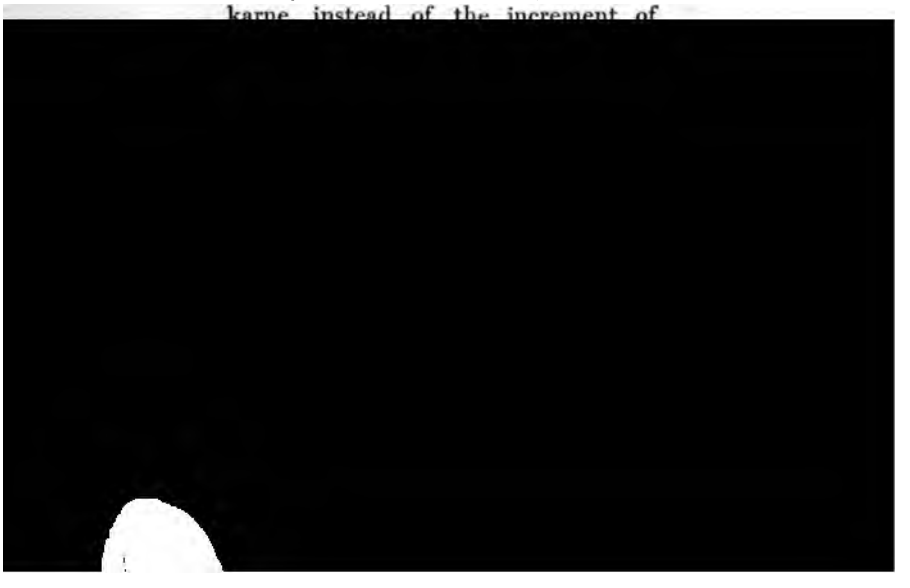

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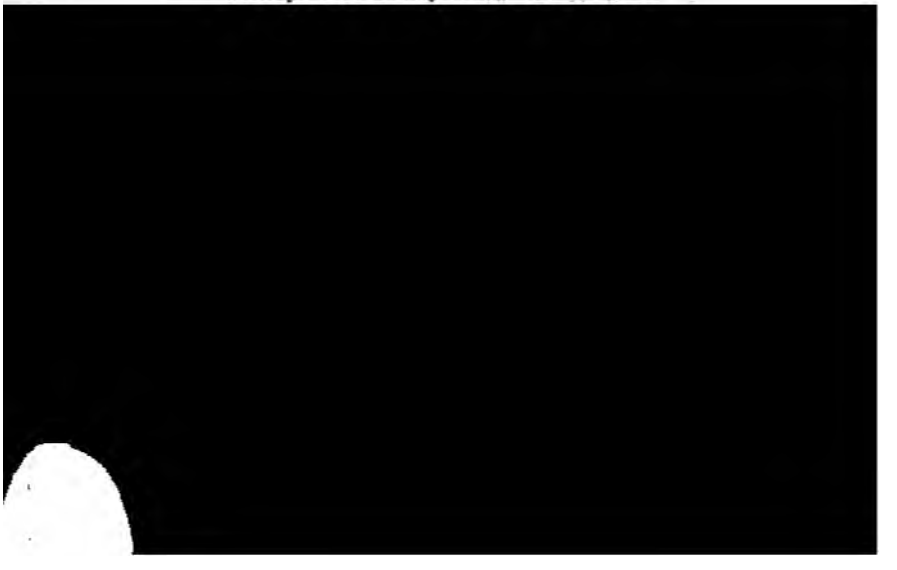

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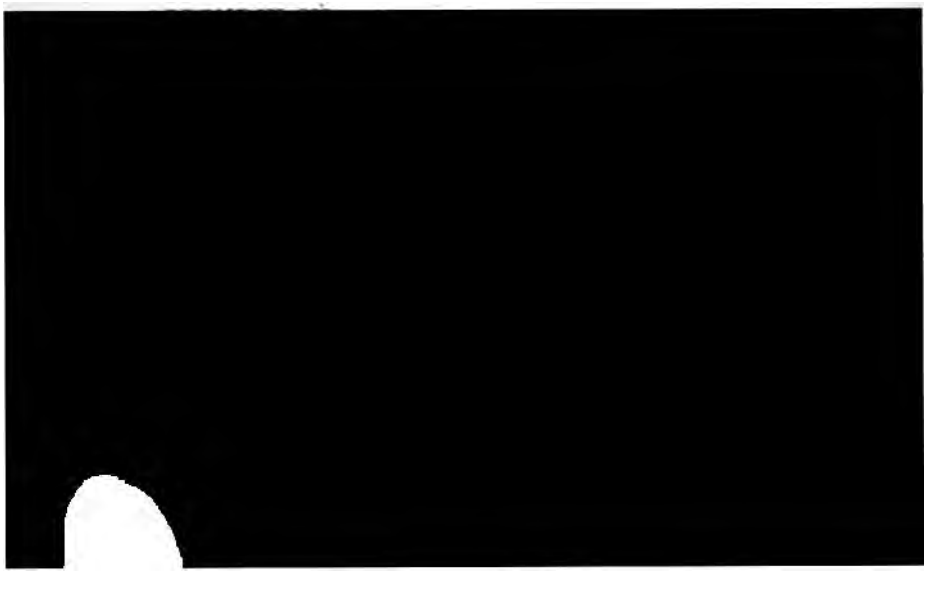

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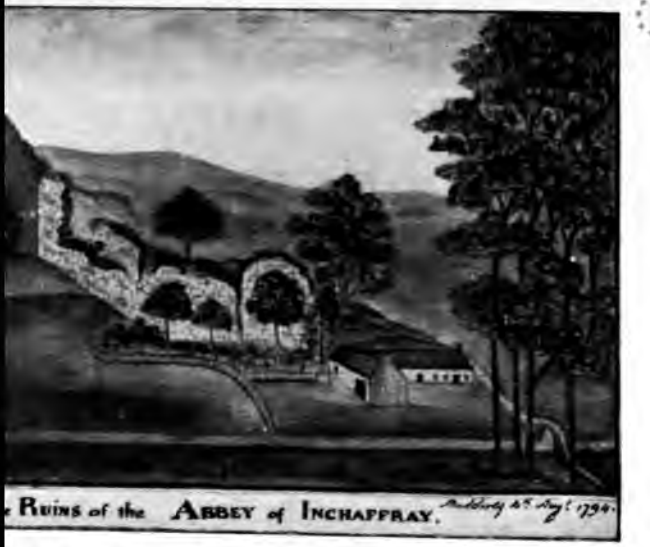
8. Tristram's grant of a croft in Gorthy, *c.* 1208. Size $6\frac{3}{4}$ by $3\frac{7}{16}$ in. No. XXVI. p. 24.
9. Bishop Abraham's grant of the church of Aberuthven, *c.* 1211. Size $6\frac{3}{16}$ by 4 in. No. XXX. p. 26.
10. Bishop Hugh of Dunkeld's grant of the church of Maderty. 1214-21. Size $9\frac{1}{4}$ by $4\frac{1}{8}$ in. No. XXXVI. p. 30.
11. Earl Gilbert's general confirmation, 1219. Size 9 by $15\frac{1}{4}$ in. No. XXXIX. p. 32.
12. Robert's general confirmation as heir of the earldom, *c.* 1220. Size $8\frac{5}{8}$ by 7 in. No. XLI. p. 35.

13. Robert's general confirmation as earl, 1223-24. Size $6\frac{1}{2}$ by $3\frac{5}{8}$ in. No. LI. p. 44.
14. King Alexander II.'s letter of protection, 1225. Size $7\frac{1}{2}$ by $3\frac{1}{4}$ in. No. LIII. p. 46.
15. Theobald's grant of land in Pitlandy, 1226-34. Size $6\frac{3}{4}$ by $2\frac{5}{8}$ in. No. LVI. p. 48.
16. Indenture between the Abbey and Brackley Hospital, 1238. Size $7\frac{7}{8}$ by $4\frac{3}{4}$ in.[1] No. LXIV. p. 55.
17. Dean and chapter of Dunblane's confirmation, 1239/40. Size $8\frac{7}{8}$ by $8\frac{1}{8}$ in. No. LXVII. p. 59.
18. Gilchrist Macnaugton's second grant of the church of Kilmorich, *c.* 1247. Size $6\frac{9}{16}$ by $3\frac{1}{2}$ in. No. LXXIV. p. 65.
19. Pope Alexander IV.'s commission to recover alienated possessions, 1256. Size $10\frac{3}{4}$ by $18\frac{13}{16}$ in. No. LXXXIV. p. 74.
20. Earl Malise II.'s grant of the church of Cortachy, 1257. Size $8\frac{1}{16}$ by $4\frac{3}{16}$ in. No. LXXXVI. p. 76.
21. John Comyn's grant of the canons' road to Perth, 1278. Size $12\frac{5}{8}$ by $4\frac{1}{2}$ in. No. CVIII. p. 99.
22. Earl Malise III.'s grant of the patronage of the church of Strowan, 1282-83. Size $10\frac{6}{16}$ by $5\frac{1}{4}$ in. No. CXII. p. 104.
23. Indenture between Earl Malise III. and the Abbey, 1283. Size $11\frac{1}{2}$ by $8\frac{3}{8}$ in. No. CXIII. p. 105.
24. Earl Malise III.'s deliberation anent an aid given by the canons, 1287. Size $7\frac{5}{8}$ by $3\frac{3}{8}$ in. No. CXVII. p. 110.
25. King Robert I.'s precept following on his grant of Cairnie, 1318. Size $7\frac{1}{16}$ by $2\frac{1}{2}$ in. No. CXXV. p. 118.
26. Earl Robert Stewart's precept to pay the annual rent out of Dunning, 1358. Size $9\frac{15}{16}$ by $4\frac{6}{16}$ in. No. CXXXIII. p. 125.


Ruins of the Abbey of Inchaffray.

INTRODUCTION

PART I

THE ABBEY OF INCHAFFRAY AND ITS CHURCHES

SOME six miles east of the town of Crieff, and not many hundred yards to the north of Madderty Station on the railway line between Perth and Crieff, on a wooded mound stand the scanty remains of the once important Abbey of Inchaffray. The gable end of a range of conventual buildings running north and south, with a round-arched vault adjoining, and some of the side walls of the structure are all that has survived destruction.[1]

The records presented to the reader in this volume leave no doubt that prior to the establishment of the house of Austin Canons by Earl Gilbert in the year 1200, Inchaffray had been regarded as a place of more than ordinary sanctity, and was the seat of a religious community of some kind or other.

The name, 'Inchaffray,' the 'Isle of Masses' (*Insula Missarum*), points to a spot where the most sacred rites of religion were celebrated with more than common frequency. All the endowments which appear in the first eight charters as arranged in the present volume, including the church of Abruthven and the church of Madderty, the tithe of the earl's cains, and the

[1] For a description in detail, see MacGibbon and Ross, *Ecclesiastical Architecture of Scotland*, vol. iii. pp. 502-6. The curious may also consult the not very intelligible account of the state of the ruins in 1789 communicated to General (then Lieutenant) Hutton. This will be found in a paper by Mr. A. G. Reid, of Auchterarder, to the *Proceedings of the Society of Scottish Antiquaries*, vol. xxxii. pp. 166-70.

land of the Abthen of Madderty, appear to have been granted before the founding of the priory of Austin Canons. Some two years before Earl Gilbert's Great Charter establishing the priory the body of Gilchrist, the first-born son of the earl, had there been laid to rest.

The early grants it will be observed are made, not to 'canons,' but to 'brethren.'[1] And the bull of Pope Innocent III. (No. VIII.) addressed to 'J. hermit and the brethren of St. John of Stradhern' at once suggests the picture of a community like that of the 'Keledei hermits' of Lochleven, brought before us in some of the early writs preserved in the Register of the Priory of St. Andrews.[2]

The grant to Isaac and his successors of the church of St. John the Evangelist of Inchaffray by Symon, Bishop of Strathern (No. I.), including as it does the right of sepulture to any who might desire it, *dato jure propriae ecclesiae*, is evidence that this church was not a parish church. The grant is exactly of the kind not infrequently given to the church of a monastic institution.[3]

The process of the gradual extinction of the religious communities, which had their origin in the ancient Celtic Church of the country, had been going on during the twelfth century. It was ordinarily effected in no violent way, but by a system of absorption into the religious communities which were being

The stronger Celtic communities, as, for example, the Keledei of St. Andrews, continued, though with ever diminishing powers, to survive for many years side by side with the newly established communities destined eventually to absorb them. Inchaffray shows no sign of having been other than a small and uninfluential brotherhood; and the will of the powerful Earl of Strathern was able to convert it at one stroke into a priory of Canons Regular. It seems to me that the first of the bulls of Innocent III. (No. VIII.) suggests that the intentions of the earl had been known to the members of the old community, and that they sought to obtain protection against the change from the Apostolic See. The brethren of Inchaffray do not say that they feared the action of Earl Gilbert, but only petitioned to be taken under the protection of the Pope and confirmed by him in the possession of their property, and more especially of the benefactions of the earl. Their petition to the Pope was (as I venture to conjecture) an effort, feeble though it might be, to secure papal protection for the old Celtic house. The bull, dated December 4, 1200, was probably granted after Earl Gilbert's Foundation Charter of the Priory had been executed,[1] but before the earl's doings were known at Rome. Explanations, however, must have been made to the Pope, and the recalcitrant brethren of the old foundation either reconciled or silenced. That the negotiations took some time we may perhaps infer from the fact that the papal confirmation of Earl Gilbert's new foundation was not issued till nearly three years later (No. XXI.).

The head of the new foundation appointed by Earl Gilbert was Malise, who is described as 'presbyter and *hermit*.' We may suppose him to have been one of the brethren of the previously existing community. Whether all or any of his fellow religious were eventually admitted into the house of Austin Canons we cannot say. Abbot Bower tells us that

[1] See the notes on No. IX.

Earl Gilbert brought canons from the Augustinian house at Scone to Inchaffray.[1] And it is obvious that the Augustinian rule of the Canons Regular would have to be learned from some who were acquainted with it. But Malise was given power to choose those whom he would adopt into his house, and it is conceivable that when it was found that resistance was unavailing some of his old companions may have joined him.

Bower correctly assigns the foundation of the house of Austin Canons at Inchaffray to the year 1200.[2] But we may well hesitate to accept, in its literal sense, his statement that Earl Gilbert divided his earldom (*comitatum suum*) into three equal parts, giving one part 'to the church and bishop of Dunblane,' another part 'to St. John the Evangelist and the canons of Insula Missarum,' and reserving the third part 'for himself and his heirs.'[3] What, I suspect, may have been the origin of this story was perhaps some rough tripartite divisions of the *churches* in his patronage, of which he retained only a third, dividing the rest between the bishopric and the priory.

The existence in the immediate neighbourhood of Inchaffray of an 'Abthen,' the Abthen of Madderty, might raise the suspicion that the brethren of St. John were a survival of an ancient Celtic abbey at Madderty, but I am not aware that there is any evidence for the existence of an ancient abbey at this place. I take it as more probable that the Abthen of

Earl Gilbert in his own grant of the Abthen (No. xi.) makes no reference to any superiority of the Bishop of Dunkeld. He grants it to Inchaffray just as he grants other lands of his own. Yet it seems plain that what he granted in fact was only such possession and right as he had in the Abthen, and that in the strictness of law he held of the Bishop of Dunkeld. Examples are frequent of abbey-lands of the old Celtic Church passing into lay hands. But the instance before us shows that we need not assume that these alienations of church property were effected by plunder and violence. Here, at all events, a nominal superiority remained with the Bishop of Dunkeld.

The Founding of the House of Austin Canons

What has been already said may, I hope, lead the reader to be not unwilling to accept the conception of the whole transaction, concerned with the establishment of the priory of Canons Regular of St. Augustine, which has gradually formed itself in the mind of the writer. The devout Earl Gilbert, unlike that staunch Scottish nationalist, his father, Earl Ferteth, had yielded to the prevailing Anglo-Norman influence, and determined to do at Inchaffray what had been done elsewhere. It was just at this time another great noble, Gilchrist, Earl of Mar, was forcing the Keledei of Monymusk to adopt the rule of the Canons of St. Austin. At earlier dates Austin Canons had been substituted for Keledei, or were now in process of absorbing them, at Lochleven, St. Andrews, and elsewhere. I conjecture that one of the old community, 'Malise hermit and presbyter,' had favoured the proposals for change made by Earl Gilbert, and was chosen by him as first prior, while the rest of the brethren under 'J. hermit,' who disliked the change, and anticipated being ousted from their home and possessions, had sought to defend themselves by obtaining a confirmation from the Apostolic See. This con-

firmation we have in the first bull of Innocent III. (No. VIII.).[1]

When explanations were made at Rome, but not till after some considerable delay, the Pope approves of Earl Gilbert's new foundation, and the bull of confirmation was granted on June 30, 1203. After this we hear no more of hermits at Inchaffray; and the 'brethren' give place to 'canons.'[2]

Immediately after the foundation of the house of Austin Canons, the earl anticipated the possibility of his earlier charters to 'the brethren' being produced in opposition to the rights of 'the canons,' and dealt with such possible opposition by declaring such charters annulled (No. XVII.).

'Second Tithes' of Food used in the Earl's Court

The grant to Inchaffray, by the founder of the priory, of second tithes, viz. the tithe of his cains, in wheat, meal, malt, cheese, flesh, fowl, and the fish which came to his kitchen, has elsewhere in Scottish record[3] parallels more or less close. King Alexander I. granted to Scone half of the hides 'pertaining to his kitchen,' all the skins of rams and lambs, half of the tallow and fat, and a tithe of the king's loaves wherever he might be

[1] Dr. Reeves (*British Culdees*, p. 142) thinks it probable that Malise, the first prior, was the Malise 'parson of Dunblane' who witnesses a charter of the

north of Lammermuir.[1] The grants of Malcolm IV. to Kelso from his kitchen are of a similar kind.[2] Duncan, Earl of Fife, granted to the nuns of North Berwick the whole tithe of his house, of grain, meal, malt, cheese, and butter, the tithe of his larder, and the tithe of his kitchen in flesh and fish.[3] And other examples could be cited.[4]

The question has perhaps presented itself to readers of these early charters—How could it have been secured that these grants from the larder and the kitchen were duly rendered to the grantees? The volume before us gives the answer so far as the house of the Earl of Strathern was concerned. We are presented with the curious picture of an official (*minister*) of the Abbey of Inchaffray living in the household of the earl, boarded at the earl's cost, and treated as well as one of his own servants. His duty was to haunt the larder and the kitchen, and to demand and receive the tithes on behalf of the monastery.[5]

It is obvious that an arrangement of this kind could scarcely avoid breeding friction in the houses of the kings and nobles. And we have evidence in the case of other religious houses that 'second tithes' of the kind described were soon commuted for grants of land or of money. In the present case we find Earl Robert, who succeeded in 1223, confirming to the Abbey of Inchaffray 'decimas omnimodas in domo nostra' (No. LI.). But at a later date there were complaints about inadequate payments of the earl's tithes of cains and of the

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[1] *Liber de Scon*, No. I. [2] *Liber de Calchou*, pp. v, vi.

[3] *Carte Monialium de Northberwic*, p. 5.

[4] See the foundation charter of Holyrood and King David's confirmation of Dunfermline (*Reg. de Dunfermelyn*, No. I); Earl David's Great Charter of the Abbey of Lindores (*Chartulary of the Abbey of Lindores*, p. 4), etc. The frequent scarcity of food and the occasional threatenings of famine during the mediæval period (and this is true of England as well as of Scotland) made grants of this kind to religious houses of no small importance.

[5] See No. XVI. One might conjecture that 'R. decimarius' (No. LV.) may have been this official, but it would be hazardous to assert more than that this is possible.

food used in his house. And in one of Earl Malise's charters (No. LXXVI.) we find indications of the process of commutation into a money payment.

Papal Bulls against Alienations

Papal bulls against alienations, and for the recovery of church property in danger of alienation through long leases, are found from time to time in our monastic records. But they are not very frequent. From this, however, it must not be inferred that they were not frequently granted. They were not the kind of documents that would help to establish legal rights to property. They were general in their language, and having served their purpose, they would not be of much use if preserved in a *Register*.[1]

The fine series of original bulls against alienations preserved in Lord Kinnoull's collection is exceptionally full. There are two bulls of Innocent IV. (dated 1248 and 1252), and bulls of Alexander IV. (1256), Clement IV. (1266), Gregory X. (1274), and Clement V. (1307). To these there has to be added a bull of John XXII. (1317) from a transcript in the Library of the Society of Scottish Antiquaries.[2]

The drift of all such bulls is the same,—there must be no injurious alienation of the property of the Church. Long

It may be observed that the formulary of style used in the Papal Chancery was in some cases more appropriate to monastic possessions on the Continent than to those in Scotland. The reader will not infer that the Abbey of Inchaffray possessed 'vineyards,' because they are mentioned by Clement IV. (No. XCIV.), and by Clement V. (No. CXX.) as forming part of its property. It is in a similar way we must explain the 'vineyards' of the Priory of St. Andrews which are named among its possessions in a confirmation of property by Innocent IV.[1]

A poor monastery, like that of Inchaffray, surrounded by powerful neighbours, would be obviously exposed to peculiar temptations to meet some pressing need by arrangements as to their lands which in the long-run might prove highly detrimental to the interests of the house. The abbot and convent of Inchaffray admit that they as well as their predecessors had made grants which proved to be *in enormem ipsius manasterii lesionem*. But the danger was real even for the greater religious houses.[2]

Early Notices of Parishes and of the Cathedral Establishment of Dunblane

The monastery itself and most of its appropriated churches being in the diocese of Dunblane, the charters of the present volume from time to time throw some valuable side-lights on diocesan history.

The obscurity surrounding the origin of the parochial system in Scotland is so great that we should be grateful that, even though it be but in one case, we can approximately fix

[1] 'Cum terris, pratis, vineis, nemoribus,' etc.—*Regist. Priorat. S. Andree*, p. 93.

[2] See the papal bulls on behalf of Dunfermline, *Contra feudotarios* and *Ut alienata revocentur*.—*Regist. de Dunfermelyn*, pp. 184, 186. Compare also *Liber de Scon*, No. 121. For a similar bull addressed to the Bishop of St. Andrews in 1387, see *Cal. Pap. Reg.*, iv. 256.

the date of the endowment of a parish church. The establishment of the bishopric of Dunblane by David I. must be placed about the year 1150. The first appearance of its first bishop, Laurence, in a dated document is in the year 1155. It is perhaps impossible to say with precision in the case of Dunblane whether the parishes, with precise parochial limits, preceded the bishopric, or the bishopric the parishes. But with regard to one parish church, that of St. Cathan of Abruthven, we learn that it received its dowery land (*terra in dotem*) from the father and mother of Earl Gilbert, Earl Ferteth and his wife Ethen.[1] Now Earl Ferteth died in the year 1171.[2] The origin of the other parish churches in the gift of Earl Gilbert is not mentioned. They were doubtless older than Abruthven; and, from the fact of the earl possessing the *jus patronatus*, it is not improbable that they had been originally endowed by the family of the Earls of Strathern.

The dedications of the five churches granted by the Great Charter, and of five out of the six churches granted subsequently by Earl Gilbert, all point in a striking way to the memories of the ancient Celtic Church in the district of Strathern. St. Serf appears thrice, at Dunning, Monyvaird, and Tulliedene; St. Bean, at Kinkell, and at Fowlis; while we find St. Ethernan at Madderty (in the diocese of Dunkeld), St. Patrick at Strogeith, St. Kessog at Auchterarder, St. Bridget

early days throughout this district of Scotland cannot be doubted.[1]

Other parish churches are mentioned incidentally in charters of Earl Gilbert's time, as, for instance, Crieff, Muthill, Strowan, Tippermuir, Cargill, Aberdalgie, and Cluny, some in the diocese of Dunblane, others in the diocese of Dunkeld.

Confining ourselves for the present to Dunblane, we find some contributions to the *Fasti* of the bishopric. An attempt at determining the succession of the bishops will be found elsewhere.[2] As regards the archdeacons, we find John, Archdeacon of Strathern in the time of Bishop Jonathan.[3] He seems to have been succeeded by Gilbert, either before the death of Bishop Jonathan or while Bishop Abraham was still only elect (No. XXIX.). Gilbert continues Archdeacon of Strathern after the death of Earl Gilbert (No. LI.), and is found as archdeacon in 1234 (No. LXI.). In January 1239-40, Luke is archdeacon (No. LXVII.).[4] Master Augustine is the next Archdeacon of Dunblane who appears in our records. He was in office in 1283 (No. CXIII.). In 1287 W. de Munros is archdeacon (No. CXVIII.). After a wide *lacuna* we have Nicholas of Kynbuk archdeacon in 1358. Andrew is archdeacon in 1365 (No. CXXXV.). From other sources some of the deficiencies of this list can be supplied. But the names given above are here exhibited to show that with care something might yet be done to supply a regular and consecutive list of the leading officials of even such an obscure diocese as that of Dunblane. We shall not burden these pages with an attempt to exhibit the succession of the deans of Dunblane. The evidence is less

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[1] The careful presentation of the Latin text by Dr. Maitland Thomson (see No. XXXIX.), enables us to offer an explanation of the origin of the form 'Iphernan' (for 'Ethernan') which sometimes appears. The Anglo-Saxon letter þ was probably mistaken for p.

[2] See p. 258.

[3] It seems to be this archdeacon whose son Gilbert witnesses No. XXIII.

[4] We find Master L. (perhaps the same) dean of Dunblane at a later date (No. LXXV.).

abundant than in the case of the archdeacons; but here too a good deal might be done by careful research.[1]

Ecclesiastical Changes in the Time of Bishop Clement (1233-1258).

On the death of Abraham, Bishop of Dunblane, which must have occurred shortly after the accession of Earl Robert, the bishopric appears so much impoverished, through alienations, that it was all but impossible to find a fit person to accept the see. We find, indeed, that a certain Ralph was elected to the see; but he seems to have resigned before his consecration. There is also evidence that Osbert held the see for some time; but before 1231 he was admitted to the monastery of Holyrood, and died there a professed canon of the house. Bishop Clement, who succeeded, in the presence of Pope Gregory IX. gave a pitiable account of the condition in which he found Dunblane. He says that the see was destitute of the solace of a pastor for nearly ten years, and that the revenues were scarcely sufficient to support the bishop in decency for a half-year. If his statement as to the ten years be correct, it must be interpreted by supposing that Osbert had early in his episcopate retired to Holyrood and resigned: in other words, that he was not bishop at the date to which his death is assigned. Or possibly Osbert continued to be nominally

justified by the event. Everything points to Clement having been an active and capable prelate.

Clement was consecrated on September 4, 1233. And some four years later Gregory IX., in a remarkable letter,[1] informs the Bishops of Glasgow and Dunkeld that Clement had described to him the miserable condition of the cathedral church of Dunblane. The building was without a roof, the divine service was conducted by a country chaplain (*capellanus ruralis*). There was no 'collegium,' that is, there was no body of canons at Dunblane, and the bishop could not find a place where he might lay his head.

To restore things to some decency, and supply the bishop and a chapter with a revenue for their adequate maintenance, the Pope issued a mandate to the Bishops of Glasgow and Dunkeld, first to ascertain the accuracy of Clement's account, and then, if they found it to be correct, to adopt one of the two following courses. They were either to assign a fourth part of the teinds of *all* the parish churches of the diocese of Dunblane to the bishop for his own maintenance and the maintenance of a dean and canons, if the two bishops could do this *absque gravi scandalo*: or else they were to transfer the episcopal see from Dunblane 'to the monastery of St. John of the canons regular in the aforesaid diocese,' *i.e.* to Inchaffray, and to assign to the bishop the fourth part of the teinds of the parish churches which were held by secular parsons. In other words, the only churches which in that case were to be mulcted were those churches which were not appropriated to monasteries. There would be no need to provide for a chapter, which would be furnished by the canons of the monastery of Inchaffray. Thus we see how very near things came to the disappearance of the bishopric of Dunblane, and the erection of a bishopric of Inchaffray, at least, to the appearance of the bishopric of Strathern with its see at Inchaffray, the canons of

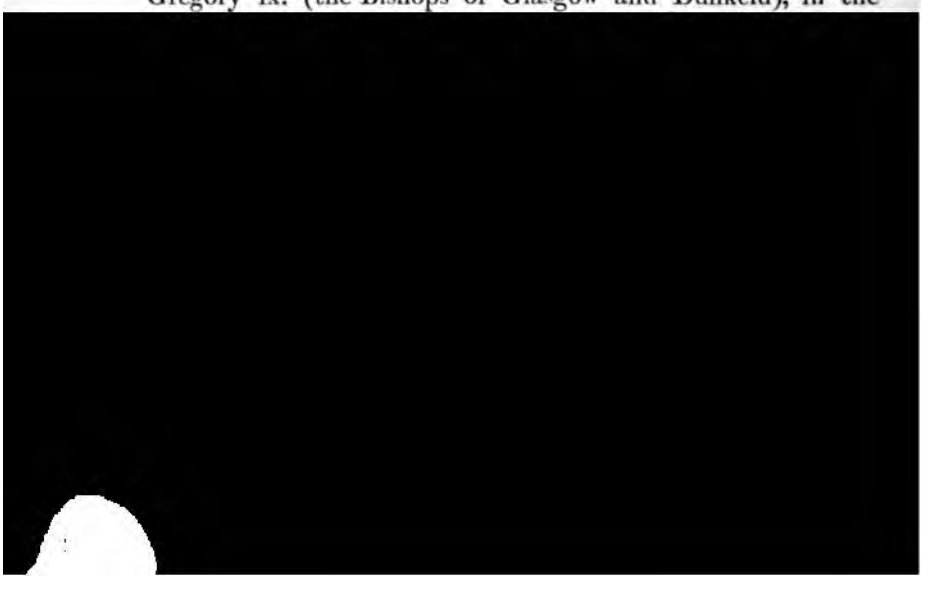
[1] Theiner, *Monumenta*, No. 91.

which monastery were to have the right of electing to the bishopric in the event of a vacancy.

If the latter course had been adopted, we should have had a cathedral constituted like St. Andrews. But as the events show, the Bishops of Glasgow and Dunkeld resolved on the first of the two alternatives.

That there was much opposition to this diverting of a fourth of the teinds away from the parsons and the monasteries may be naturally assumed; and the actual evidence that is forthcoming shows us that the monasteries, at least, made a struggle to resist, or to secure as good terms as possible. The agreement between the convent of Inchaffray and Bishop Clement on this subject (showing that Inchaffray had raised opposition to the payment of a fourth) obtained a confirmation from the Pope, which is printed for the first time in this volume.[1] The struggle on this subject between the bishop and the monasteries may be placed about the year 1238. It was certainly so in the case of the Abbey of Cambuskenneth, which had three parish churches in the diocese of Dunblane,[2] and which contested the bishop's claim till an amicable settlement was made on January 29, 1239-40.[3]

The agreement made between Cambuskenneth and the bishop is interesting as exhibiting the two commissioners of Gregory IX. (the Bishops of Glasgow and Dunkeld), in the



kenneth to be disposed of by the Bishop of Dunblane '*pro sue voluntatis arbitrio.*' The abbey, in return, was to be free of the fourth of the teinds, and was permitted to have chaplains instead of perpetual vicars, to serve its three churches.[1]

It was probably about this date, or perhaps a little earlier, that in the reconstruction of the chapter of Dunblane the Abbot of Inchaffray was assigned a canonry—the cathedral dignity next the dean—the precentorship, which we find him occupying in later documents.

A similar arrangement seems to have been made with the Abbey of Arbroath, which held in the diocese of Dunblane the church of Abernethy, with the chapel of Drun and the chapel of Erolyn. We find the Abbot of Arbroath a canon of Dunblane *ratione monasterii sui*, and taking part in elections of the Bishops of Dunblane in records towards the close of the thirteenth and beginning of the fourteenth century. And the ordinance of the papal delegates settling the questions between the Abbey of Arbroath and Bishop Clement (which must be dated about 1239) is recorded in the old register of the abbey. Its details need not be described here in full: it is enough to say that the abbey was to cede to the bishop the whole of the altarage of Abernethy and certain lands, and the bishop was to provide for the service at Abernethy, and to supply a vicar of the choir to serve at Dunblane *nomine abbatis et conventus*, while the abbot was to be installed a canon of the cathedral, and to be granted a toft at Dunblane for his manse.[2]

Attention may be called to the confirmation by the chapter of Dunblane granted on the Sunday next before the Feast of the Purification in the year 1239 (*i.e.* 1239-40). Now, in that year the Sunday so described fell on January 29, the very

[1] The system of serving parish churches by chaplains was less costly to the monasteries than the appointment of vicars. And the charters of the present volume show that permission to have their churches served by chaplains was much desired by the monasteries. [2] *Regist. Vetus*, No. 241.

day (iv. Kal. Feb.) on which the Bishops of Glasgow and Dunkeld (being then at Dunblane) declared the Abbot of Cambuskenneth to be a canon of Dunblane. If we may venture on conjecture, on this day too the papal commissioners may have appointed the Abbot of Inchaffray to be precentor. If this were so, his first act would seem to have been the subscribing, as he does in a very neat hand,[1] as precentor, the confirmation of the churches which he (as abbot) and his convent held in the diocese. Nicholas is the name of the precentor, and N[icholas] is the name of the Abbot of Inchaffray in charters that come nearest to the above date, both before and after.[2] But, however this may be, it is certain that in the reconstituted chapter of Dunblane the Abbot of Inchaffray and his successors held the dignity of precentor, taking rank immediately after the dean, and before the chancellor and treasurer. The abbots of Arbroath and Cambuskenneth, though holding canonries, do not appear in the cathedral as dignitaries.[3]

Clement was full of vigour in recovering the property of his cathedral as well as in the work of reconstructing the material fabric. Shortly after his consecration we find him in controversy with the Abbey of Inchaffray in regard to the churches of Abruthven and Tulliedene, and the second tithes of the Earl of Strathern. The matter was referred to arbitra-

tion, and the judgment of the arbiters, dated August 1234, we possess.[1]

When the question of the payment of the fourth of the teinds of their parish churches arose, Inchaffray, like the other monasteries, endeavoured to make as good terms as possible. Eventually the dispute was settled in the following way. The abbey was to pay yearly twenty marks for a 'dignity,' and ten marks for a 'prebend,' to be established *de novo* in the cathedral of Dunblane.[2] The dignity was presumably the precentorship to be held by the abbot. In return for these payments the abbey was to be free of the payment of the fourths; and, further, the abbey was to be favoured by allowing some of its parish churches to be served by chaplains instead of vicars, while in the case of others of its churches the bishop consented to a 'modest' sum being assigned to the vicars. In other words the abbey might save by a reduced payment to the vicars who discharged the duty in certain of its parish churches.[3]

In his efforts to secure his fourths of teinds, or their equivalents, Bishop Clement had to encounter not only the religious houses, but also the lay-patrons of the churches in his diocese. So far as we know at present, the record of negotiations with the Earl of Strathern arising out of the papal decree for the reformation of the episcopal and cathedral revenues has perished. But we possess the record of a compromise between the bishop and Walter Cumyng, Earl of Menteith, determined by the papal delegates, the Bishops of Glasgow and Dunkeld,[4] which relates to a claim of Clement to a *pensio* from the churches of which the earl possessed the patronage. The bishop was to renounce for himself and his

[1] No. LX.

[2] In cathedrals of secular canons the 'dignities' were ordinarily the deanery, the precentorship, the chancellorship, and the treasurership.

[3] See No. LXXX.

[4] Dated Octave of St. John Baptist, 1238. The deed is printed in the Appendix to the Preface (pp. xix-xxxii) of *Lib. Ins. Miss.*

successors all claim to the *pensio*; he was to make no opposition to the earl's constructing the house of Austin Canons in the isle of Inchmahomok (Inchmahome); and to these religious he was to give the church of the isle (in the Lake of Menteith) and the church of Lanyn (Lany, now Leny), which churches were to be served by chaplains and not by perpetual vicars. While on the other hand the earl was required to assign the church of Kippen to form the prebend of a canonry in the cathedral, to which canonry the earl and his successors were to present; he was also to cede to the bishop whatever rights he had in the church of Callander.[1] There is, I think, no good ground for supposing (as is suggested by Mr. Cosmo Innes[2]) that the papal delegates were not making satisfactory terms for the Bishop of Dunblane.

The importance of the crisis in the history of the see of Dunblane, affecting as it did not only the revenues of the see and the constitution of the cathedral chapter, but also the story of the three abbeys, and more particularly of Inchaffray, will, it is hoped, justify the fulness of treatment bestowed on this episode in our ecclesiastical annals. The appointment of abbots to cathedral canonries was attended by the evil of non-residence in the cathedral town. And the evil of non-residence was throughout the whole mediæval period a frequent cause of complaint both in England and Scotland. On the other hand,

Further Grants of Churches to the Abbey

To the five churches granted to the priory of Inchaffray by Earl Gilbert, in the Foundation Charter, he added before July 1203[1] the church (St. Serf's) of Dunning.

About 1210 the church of St. Bean of Foulis (Wester) was granted by the same benefactor (No. xxix.); and before the earl's death further grants were made of the churches of St. Serf of Monyvaird, St. Bridget of Kilbride, St. Serf of Tulliedene[2] and Trinity Gask. In all, eleven parish churches were bestowed on the house of Austin Canons by Earl Gilbert.

The material is not extant for making a comparison of the value of these parish churches and the incomes of the vicars who served them. In the valuation exhibited in Boyamund's accounts (in the years 1275, 1276) as printed by Theiner,[3] the value of these churches (as distinguished from the vicarages) is perhaps to be included (with the exception of Madderty) in the income of the abbey. The abbot pays, as tithe, to the papal collector 24lb. 13s. 3¼d. Ten times this amount represents a large yearly revenue, when the purchasing power of money at that time is taken into account. The tithe of Madderty was 5lb. 5s. 8d. There was no vicar: the church was doubtless served from the abbey. Of the other churches, the names of which appear in Boyamund's Roll (for some are wanting or hopelessly disguised), we find the *vicarages* paying tithe as follows: Abruthven, 7s.; Strugeith, 28s.; Dunning, 12s.; Auchterarder, 18s.; Kilbride, 18s. 8½d.; Gask Christi (Trinity Gask), 5s.; Foulis, 17s. 4d.

The next church granted to Inchaffray was the church of St. Mordac of Kellmurthe, or Kelmurkhe, at the head of Loch Fyne, in the diocese of Argyll. It is the church subsequently known as Kilmorich.[4] The charters containing this

[1] See the bull of Innocent III., No. xxi.

[2] Tulliedene seems to be the Tullychettil (Tullykettle) of post-Reformation record. See *Lib. Ins. Miss.*, pp. 87 and 114.

[3] *Monumenta*, No. 264.

[4] See *Origines Parochiales*, vol. ii. part i. p. 82.

grant (Nos. LXXIII., LXXIV.) show that the authors of *Origines Parochiales* were correct in their conjecture that Morich is, in more correct form, Murdoch or Muredoch.[1]

The grant of this church was made by Gilchrist, son of Malcolm Macnacthan, in the time of Bishop Clement, and while he was administering the diocese of Argyll (No. LXXIV.). This fact helps to determine (approximately) the date of the charter. The see of Argyll was void for at least seven years after the decease of Bishop William, who was drowned at sea in 1241;[2] and it was almost certainly during this vacancy that Bishop Clement of Dunblane had charge of the diocese. The grant of this church was (as is usual in such cases) to take effect after the death of the clerk who then held the benefice.

This church continued to be the property of the monastery till the Reformation. In 1618 we find 'James, Lord of Madertie, Commendator of Inchaiffray,' setting to Alexander M'Naichtane of Dundaraw 'the teind schavis and uther teindis' of the 'peroche kirk and perochin of Kilmorithe, personage and vicairage thairof, lyand within the diocie of Argyll, sa far as the fruitis of the said kirk ar ane pairt and pertinent of the abbacie of Inchaiffray.' The common seal of the abbey is appended to the deed 'in place of the consent of the convent thairof, thay being all departit this lyif.'[3]

The year 1257 is marked by the gift of two churches to the abbey. Another son of Malcolm Macnauchtan, Athe by name, with the assent of his brother, Sir Gilbert, knight, gave

several smaller islands, and land on both sides of the loch. The parish church was in the island.[1] The church remained the possession of the abbey till the Reformation.[2]

A few months later Earl Malise gives (A.D. 1257) to the abbey the advowson of the church of Cortachy in the diocese of Brechin (No. LXXXVI.). Whether this grant ever became practically effective we are unable from lack of evidence to say. But certainly the right of the patronage of Cortachy was early in the fifteenth century in the hands of Walter, earl palatine of Strathern. The advowson was granted to him by the Duke of Albany, governor of the kingdom, in 1409; and in 1429 Walter grants the *jus patronatus* to the dean and chapter of the cathedral of Brechin. A few days later the Bishop of Brechin unites the church to the dean and chapter *in usus proprios*.[3]

At some time in the episcopate of Robert de Prebenda, Bishop of Dunblane (who died 1283 or early in 1284), and after the death (about 1270) of Earl Malise II. (the first Malise of our charters), Malise, son of the late earl, granted to the abbey the advowson of the church of Struy (Strowan).[4] Although the records before us do not show that the church was afterwards granted by the bishop to the abbot and convent *in proprios usus*, there can be no reasonable doubt that such was the case, as its teinds are dealt with in the taxt roll of the lordship of Inchaffray in 1630.[5]

In 1303 the *jus patronatus* of another parish church was granted to the abbey by Sir Thomas de Cromennane, knight. This was the church of Buthbrene (Balfron), in the county of Stirling, and diocese of Glasgow. The Bishop of Glas-

[1] *Scotichron.*, ii. 10.

[2] See *Origines Parochiales*, vol. ii. part i. pp. 129-132.

[3] *Regist. Episcopat. Brechin*, i. 25, 46, 53.

[4] In Boyamund's accounts, 1275 and 1276, the tithe of the church (not of the *vicarage*) is given, for the first year 40 shillings, for the second 50 shillings. (Theiner, pp. 112, 115). This falls in with this grant to Inchaffray being made after 1276.

[5] See *Lib. Ins. Miss.*, p. 113.

gow, Robert Wischard, the patriot bishop, on October 3, 1303, having compassion, as he says, on the misery, poverty, and straitened circumstances of the abbot and convent of Inchaffray, due to the plunderings, burnings, and unnumbered afflictions of war, grants the church to the abbey *in proprios usus* on the death or resignation of the rector, and allows the church to be served by a chaplain, or one of the canons of the abbey.[1] Balfron continued to belong to the abbey, and is described, in 1607, when the parsonage and vicarage teinds were set, as 'ane of the proper kirkis of the said abbacie.'[2]

The next grant of a church to Inchaffray is of greater interest, both because of the eminence of the granter and because of its results in the erection of a daughter house.

On February 26, 1317-18, King Robert I., then at Clackmannan, made a grant to the abbot and convent of Inchaffray of the *jus patronatus* of the church of Killin in Glendochart, on the condition that the abbot and convent would provide a canon to officiate in the church of Strathfillan. This grant was made under the privy seal.

On April 12 following this grant was made anew at Berwick-on-Tweed under the great seal, but without any mention of the condition stated above. The condition, however, was obviously understood as binding, for in October of the same year the Bishop of Dunkeld, William St. Clair (the

usus, saving always the dues of the bishop and archdeacon of Dunkeld. The prior of St. Fillan's chapel on the occurrence of a vacancy was to be presented by the abbot and convent and instituted by the bishop. The vicarage of Killin was to be served by a canon, or, if more agreeable to the monastery of Inchaffray, by a secular chaplain, who was to receive ten pounds sterling a year, out of which he was to pay the dues of the bishop and archdeacon.[1]

It will be seen that the king's original design was much enlarged. At first the proposal was that one canon should serve at St. Fillan's chapel, but soon after it was arranged that a priory should be established at the place.[2]

So far as the records in this volume are concerned, the last information relating to King Robert's grant of the patronage of the church of Killin is a confirmation of the grant by Pope Clement VI., dated at Avignon, November 13, 1348 (No. CXXXI.). In this bull nothing is said of the new priory, whose subsequent history is obscure. It seems to have been always small and poor.

James IV. (October 2, 1498), for singular favour towards Dene John Murray, prior of Strathfillan, confirms a charter of King Robert Bruce to the monastery or chapel of Strathfillan and the prior of the same, granting the five-pound lands of Wochtirtiry, of old extent, in the barony of Glendochart and shire of Perth, and incorporates them into the barony of Wochtirtiry.[3] King Robert I., we thus learn, had contributed to the endowment of the house in Strathfillan.

And in 1329, the year of King Robert's death, the *Exchequer Rolls* (i. 214) reveal a payment made through Sir Robert de

[1] See Nos. CXXIII., CXXIV., CXXVI., CXXVII.

[2] It is not improbable that gratitude to St. Fillan, whose arm-bone (if we may believe Boece) was venerated by Bruce on the night before the battle of Bannockburn, and whose aid he had invoked, may have suggested this grant. While the memory of the part played by Maurice, Abbot of Inchaffray, on the same occasion, may have directed his thoughts to that house.

[3] *Reg. Mag. Sig.*, ii. No. 2458.

Bruys, the king's natural son, of xxlb., *ad fabricam ecclesie Sancti Felani*, presumably the priory church.

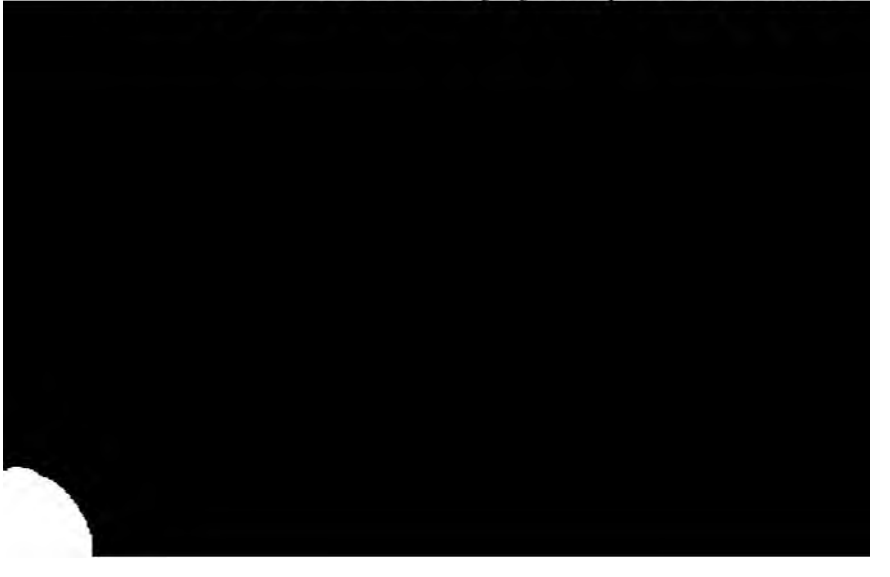
At a later date we find the chapel of St. Fillan spoken of as a 'chapel royal.'

On February 28, 1542-3, Dene John Gray, canon regular, prior of the monastery or chapel royal of Strathfillan, granted the lands mentioned above in feu to James Campbell of Lawers.[1]

The name of another prior is recorded. Sir Hugh Curry (or Corrie), prior of Strathfillan, was one of the executors of Gavin Dunbar, Archbishop of Glasgow.[2] Curry appears again in February 1549-50.[3]

The priory in Strathfillan was evidently an unimportant place at the Reformation. The Collector-General's Account for 1573 contains a list of benefices 'quhilks wes not rentaillit nor chargit abefoir, bot ar new found owt be the comptare': among these (*fol.* 43, *verso*) is the entry—'the haill priourie of Straphillane the zeir comptit extendis to xl.ĺ.'[4]

The petition to Pope Clement VII. (No. CXL.)—the transcript of which the Scottish History Society owes to the courtesy of Dr. Maitland Thomson—reveals the fact that, at some time unknown, the monastery of Inchaffray had parted with its church of Strogeith to the Bishop of Dunblane. It was again restored and united to Inchaffray by Bishop Walter de Coven-



tre (1361-1372). But this transaction had not received the confirmation of the Apostolic See; and after the death of Bishop Walter, the abbot and convent besought the Pope to confirm the grant of the bishop, or, if necessary, to grant the church anew to the abbot and convent. In December 1381, the Pope, in response, committed it to the Bishop of Glasgow to inform himself as to the facts, and to confirm the grant according to justice.

The last addition of an ecclesiastical benefice recorded in the documents before us is the grant of the chapel of the Holy Trinity in Uist (together with the whole land of Karynche, and four-penny lands in Ylara, between Hussaboste and Kanusorrarath) made by Christina, daughter of Alan, and Reginald called M'Rodry. This grant was confirmed by Godfrey of Yle, lord of Uist, July 7, 1389 (No. CXLI.). A later confirmation of Donald of Yle, Lord of the Isles, and brother of Godfrey, is dated December 6, 1413 (No. CXLII.). This church, situated at Karynch in North Uist, is marked in Blaeu's *Atlas* as Kiltrinidad, and its ruins are locally known as Teampal-na-Trianaide.[1]

The confirmation of the grant by Godfrey of Yle contains the rather peculiar provision that his beloved and special friend, Sir Thomas, canon of Inchaffray, should, *nomine dicti monasterii*, possess in peace and fully the said chapel with its lands and all its pertinents.

This church at Karynch in North Uist, with the land of Karynch, one cannot but suspect is the origin of what John Spottiswoode in his *Account of the Religious Houses*[2] calls Scarinche, which he makes one of 'the cells or priories belonging to Inchaffray.' If this conjecture is correct, Spottiswoode has blundered in placing the cell 'in the isle of Lewis.' Spottiswoode goes on to say that Scarinch was 'founded by the Mac-

[1] *Origines Parochiales*, vol. ii. part i. p. 373.
[2] This is printed in Keith's *Scottish Bishops*. See, in Russell's edit., p. 373.

leods of the Lewis, in honour of St. Catan (*in honorem Sti. Catani, cujus exuvias ibidem asservari traditione acceptum est*).' The dedication of the chapel at Karynch does not fall in with this. But there seems to have been some place connected with Inchaffray and associated with St. Cathan at Stornoway,[1] and Spottiswoode seems to have confused the two places.[2]

In a rental of the bishopric of the Isles and the abbacy of Icolmkill which has been assigned to 1561, 'Cairneische in the Ile of Weist' appears as part of the abbot's lands.[3]

If the opinion offered above as to the situation of the place called Scarinche be accepted, corrections will have to be made in the map which appears in Walcott's *Ancient Church of Scotland* (p. 233), and in Mr. G. Gregory Smith's map of Scotland, showing the ecclesiastical divisions in the Middle Ages, which is to be found (Plate xxvi.) in the new *Historical Atlas* issued from the University Press of Oxford.

The Parish Church of Nesgasc and the Hospital of SS. James and John at Brackley

The indented settlement (No. lxiv.) of a dispute between the abbot and convent of Inchaffray, on the one part, and the master and brethren of the Hospital of SS. James and John of Brackley in Northamptonshire, on the other, is preserved

The monasteries of Scotland (as is well known) were treated in a similar spirit by owners of lands and patrons of churches in England.[1]

The grant of the parish church of Nesgasc, in Perthshire, to the Hospital of Brackley was made by Seher de Quincy, probably shortly after being created Earl of Winchester (1207).[2] The charters of Magdalen College contain a grant (A.D. 1210-18) from Roger de St. Andrew to the Hospital at Brackele for the soul of himself and of (his uncle) Seher de Quence, Earl of Winchester, etc., of forty shillings of annual rent from his land at Colesyn (Collessie, in Fife), to wit, twenty shillings for the lights of the church, and twenty shillings for the infirmary. This grant is confirmed by Seher de St. Andrew, brother of the donor.[3] The interest of the De Quincys in Brackley is apparent.

Large Scottish possessions came to the De Quincys through the marriage of Robert de Quincy (father of Seher, afterwards Earl of Winchester) with Orable, daughter of Ness, son of William. And the name 'Nesgasc' would suggest that this part of Gasc had been the property of Ness.

It will be observed also that this agreement (A.D. 1238) between Inchaffray and the Hospital at Brackley has among the witnesses Roger de Quincy, Earl of Winchester, and Seher of St. Andrew. The agreement was doubtless not made without their approval.

The value of Nesgasc in 1276 was 17lb. 17sol. 6den.[4] When it ceased to be possessed by the Hospital at Brackley we are not able to say. It seems to have been still in the possession of the Hospital in 1262.[5]

At first sight it might be thought that the confirmation by Pope Urban IV., September 12, 1262 (No. LXXXIX.), of which both

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[1] Examples of both kinds will be found mentioned in *The Chartulary of Lindores*, Introduction, pp. l-lii. [2] See Appendix, No. IV.A, p. 245.

[3] *Calendar of Charters of Magdalen College, Oxford.* This annual rent was afterwards exchanged for the demesne of Gasc in Strathern.

[4] See Theiner, *Monumenta*, p. 115. [5] See No. LXXXIX.

Inchaffray and Brackley possessed originals still extant, was a confirmation of the agreement of 1238. But a doubt is raised as to this by the language of the bull. Those who are represented as interfering to effect the settlement of the dispute are 'the bishop of Dunblane, of good memory, and our venerable brother the bishop of St. Andrews.' This points to the latter of these friendly intermediaries being alive at the date of the bull. Now Gamelin, Bishop of St. Andrews in 1262, was not consecrated till December 26, 1255, while Clement (Bishop of Dunblane at the time of the agreement of 1238), died, at latest, in 1258.[1] So there is ground for thinking that, despite the provisions of the indenture of 1238, some fresh dispute had arisen, and was adjusted by the intervention of Bishops Clement and Gamelin between the close of 1255 and the death of the former in 1258.

At a later stage, in the year 1266, we find the Hospital of Brackley entering upon an entirely new arrangement with Robert, Bishop of Dunblane. The bishop agreed to take over the church and lands of Gasknes *ad firmam*, that is, to take them on lease for a period of five years, he having the right to renew the lease for other five at the end of the first, and of subsequent terms. He was to pay twenty-four marks a year to Brackley, twenty shillings a year to the abbey of Inchaffray,[2] and two marks to the vicar of Gasknes. The agreement

The lawsuit between the vicar of Fowlis and the abbey on the subject of 100 shillings 'usual money of the kingdom of Scotland,' being the mortuary of Tristram of Gorthy (No. CXLIX.), which was decided by the Bishop of Dunblane, sitting as judge in his consistorial court, is interesting as a specimen of the legal procedure of the bishops' courts in the latter half of the fifteenth century. Ordinarily the vicar of a parish received the mortuary or corse-present of a deceased parishioner. But we find examples of exceptions. Thus the vicar of Linlithgow (which was an appropriate church of the Priory of St. Andrews) was to receive oblations and obventions of the dead as well as of the living, but an exception was made when the mortuary consisted of a 'living animal.' The cow, the 'kirk-cow,' as it was called, which not infrequently preceded the bier in the funeral procession to the parish church, was to go in this case not to the vicar, but to the canons of St. Andrews.[1] In each case the language of the foundation of the vicarage as settled by the bishop of the diocese was to determine the question as to the ownership of mortuaries. It was so in he case under consideration. According to the *fundamen* of the vicarage of Fowlis mortuaries *sana et integra* were to go to the Abbot of Inchaffray, while mortuaries *divisa et non integra* were to be the perquisite of the vicar.

Before concluding this part of the Introduction a few words may be said as to two peculiar words occurring in the charters, the meanings of which are obscure, and need a fuller elucidation than I can pretend to offer.

Mr. Cosmo Innes long ago pointed out that there are materials in Scottish Records for a *supplementum Scoticum* to Ducange's

enjoined that churches should not be leased to laymen directly or indirectly, and that the consent of the ordinary should always be obtained. It is worth noticing that in 1358 the church of Nesgasc was the church of the Archdeacon of Dunblane (No. CXXXII.) and so continued to the Reformation.

[1] *Regist. Priorat. S. Andree*, p. 159.

Glossarium. The charters placed before the reader in this volume supply at least two contributions to such a supplement. Beside the usual officers of the household and establishment of a great noble, the 'dapifer' or 'senescallus,' the 'camerarius,' the 'dispensarius,' the 'pincerna,' the 'judex,' and the 'capellani,' we find the early Earls of Strathern possessing a 'rennarius.'[1] Research in other directions, resulting in no satisfactory explanation of the word, it was natural to conjecture that the word might be formed upon some term of Celtic origin; and Gaelic scholars were consulted.

Professor Donald Mackinnon has been so good as to furnish, through Dr. J. Maitland Thomson, the following note: 'Rennarius is manifestly a Latinised form of the Gaelic *rannaire*, literally "the divider." In old Gaelic Saga, the *Fled Bricrend* (Feast of Bricriu), for example, the *rannairi* carved or distributed (or both) the portions of food offered to individual guests. The word is glossed *partista* in Irish Glosses (No. 9), and the old lexicographer Cormac, who spells it *ronnaire*, derives the word from *ronnad* "a distribution he makes of the food" and *-aire*, "chief." The more correct analysis of the word is *rannaim*, "I divide" (now *roinn*) and *-aire*, cognate with the Latin *-arius*, a suffix indicating personal agent. The word is usually translated "spencer," "butler."' Professor Mackinnon adds, 'I have not come upon the name

of meaning, all carrying the idea of "attending upon," "serving." Service, including watch and ward, might express the idea conveyed by the term here.' I venture to suggest that we have perhaps a word formed upon the same Gaelic vocable in a charter, of the year 1272-3, granted by Alexander Cumyng, Earl of Buchan, in which the grantees were declared to be free for ever, 'ab omni custuma ab omni tol *frithelagio* vel carriagio.'[1] If *carriagium* is here explicative of *frithelagium*, it points to the kind of service which had been remitted. In any case, it falls in with the notion that *frithelagium* was some kind of service due by vassals to their superior.

A word or two must be added on the important bull (7 April 1251) of Innocent IV. printed in the Appendix (No. II.). In the course of examining the documents in the Dupplin Collection this bull came to light; and, although it has no connection with Inchaffray, the editors were convinced that the opportunity should be taken of making it known to historical students, as adding an interesting incident, hitherto unknown in the prolonged struggle between the Keledei of the ancient church of St. Mary, at St. Andrews, and the Canons Regular of the priory of the cathedral city. This bull illustrates, and is in turn illustrated by, the bull of 7 June 1252, printed by Theiner.[2]

Pope after Pope (Lucius II., Eugenius III., Adrian IV., Alexander III., Lucius III., Gregory VIII., Innocent III., and Honorius III.) had reiterated the command that on the death or resignation of any of the Keledei his prebend and possessions should be transferred to the Priory of Canons Regular. Yet even after a hundred years had intervened we find the Keledei still maintaining the contest.

The claim of the Keledei to have a voice in the election of the Bishops of St. Andrews, which continued to be made for over a century, is another piece of evidence contributing to

[1] *Regist. Episcopat. Aberdon.*, i. 32.

[2] *Monumenta*, No. CXLV.

the conviction that the Keledei of St. Andrews formed a community of considerable vigour and persistency of purpose.

The reader will be pleased to find here (Appendix No. v.) the short charter of Malise, Earl of Strathern (21 February 1268-69), from the Dupplin Collection, relating to the lands of Strathy, in which the Abbey of Inchaffray had an interest (No. cxvi.).

J. D.

PART II

THE EARLS OF STRATHERN; OTHER BENEFACTORS AND PRINCIPAL PERSONS MENTIONED IN THE CHARTERS

The Earldom of Strathern, which in remote ages probably formed a kingdom with Menteith, was situated in the heart of Scotland, and included most of the fertile plains lying directly north of the Forth and south of the great range of mountains called the Mount, extending in a semicircle from the Clyde to Aberdeen. This space was occupied by four earldoms, Strathern and Atholl on the north-west, Fife and Angus on the east. South-west of Strathern lay Menteith, while west of the mountains lay the two Argylls. Beyond the mountains on the north was Moravia, and over them must have travelled the families which bore that famous surname.

Our information respecting the original Celtic rulers of 'Cismontane,' Scotland north of the Forth, is not precise, and any collection of charters such as those printed in this volume may be of great importance for the elucidation of the ancient history of our country, so admirably begun by the late Dr. Skene.[1]

What happened in Strathern is perhaps unique, but it illustrates the whole process of feudalising the Celts.

We have a picture, roughly drawn, of a ruling Celtic family first opposing with contempt, then accepting and developing the feudal system of King David and the Normans; finally

[1] Skene's *Ancient Alban.*

welcoming that splendid ecclesiastical organisation which Christianised feudalism. In Strathern we see earls instead of maormars substituting the Catholic Hierarchy for missions (if the Culdee centres can be thus described), and introducing that system of what may be termed feudal monasticism, which throughout the civilised world became a distinguishing feature of the Apostolic and Roman Church.

Ferteth, Earl of Strathern, must have had the principal share in the erection of a diocese called of Strathern or Dunblane, having its cathedral where Culdees had previously a home, the first bishop of which in certain record appears in 1155. His son completed his work and founded the house of Augustinian Canons where a 'hermit' with a community of brethren had been. Neither of these operations would have been performed by Celts who adhered to the Celtic ecclesiastical system, under which there was to have *been* one bishop styled Episcopus Scottorum, proved by record and illustrated by the early seals of St. Andrews. There is, however, tradition of an ancient see of Dunblane, long void.[1]

The Charters here printed have also a political value, for we get glimpses here and there of a peculiar feudal system. We find something to help in the study of thanage, for of the several great lay fiefs within the earldom the owners of two are expressly called 'my thanes,' namely, Dunning and

We have in the Papal Letters proof that the Popes, chief of the whole hierarchical system, regarded the earls and not the kings of Scotland as patrons of the see of Strathern, afterwards called Dunblane.

The Charters of Inchaffray exhibit great officers of the earldom called by the same names as those of the king. We find in these charters a dapifer, a pincerna, a chamberlain, a marshal, a carver, a dispenser, and a judge or dempster. Such officials existed no doubt in all great fiefs and households, but here they are remarkably exemplified. Then we find two individuals called 'miles meus.' Whether this imports knighthood by the king or earl, or whether the description is purely one of tenure is a question of some importance. The experts of the present day usually take the latter view.

The word palatine is foreign to English and Scottish feudal law, and its precise meaning is not clear. But if the word be used to denote a quasi-sovereign fief, of which the lord is autocrat in respect of all internal jurisdiction, it would be difficult to find a more conspicuous example than Strathern. Afterwards when the word was adopted we find Strathern forfeited or resigned, and the new grantee, who received the earldom 'to hold as Malise held,' at once styled earl palatine.

We have thought it desirable, without attempting a full exposition of all that may be deduced from the Charters of Inchaffray, to offer a number of notes respecting the subject-matter, the parties to and the witnesses of a remarkable set of deeds. In several details the great development of historical research, with publication of records in the course of the last half-century, enables us to add to the information given by the editor of the Chartulary for the Bannatyne Club. Our notes are intended as suggestions rather than conclusions, as clues rather than discoveries, for we are still at the threshold rather than within the Temple of Antiquity.

We also offer some observations upon the genealogy of the Earls of Strathern and a few of their principal vassals, which

observations are made in respect of minor points, not by any means unfolding the whole political and historical status of the house which held so pre-eminent a place. Of all the ancient earldoms, Strathern was strategically the most important in the eyes of kings who desired to consolidate the government of Scotland beyond the Tay, and not unnaturally the Stewarts, when the whole kingdom was about to fall to their lot, coveted Strathern. Just as Lennox overhung the Stewartry, so did Strathern and Menteith the northern capital of the kingdom. In process of time the Stewarts obtained them all, as also Fife and Atholl. But while the monarchy was strengthened, and the national independence was established, the grandeur of the earldoms was lost. They emerged in myth like the Highlanders, and passed as the old order changed.

Mallus or Malise appears as Earl of Strathern in the Chartulary of Scone, before 1124, and witnessed the charter of King David to Dunfermline, *c.* 1128; and others later.

Ferchard or Ferteth, Earl of Strathern, with five other earls, attended a Parliament at Perth in 1160, and expressed strong dissatisfaction with King Malcolm for having accompanied—perhaps as a vassal—King Henry II. to Toulouse.

This earl and his wife Ethen endowed the church of St. Cathan of Aberruthwen with tithes and land. He died

Sir Malise granted, *c.* 1208, the lands of Rathangothen, except the mill, to the Abbey of Lindores,[1] for the souls of himself, Ada, his wife, daughter of Earl David, and others. He also granted an annuity of half a mark to the Abbey of Arbroath from his fishing of Ure, confirmed by King William when Philip de Valoines was chamberlain. The Lady Ada granted a carucate of land to Lindores, that she might be buried there.

He apparently had no issue.

Christian is stated to have been daughter of Earl Ferteth, and wife of Walter Olifard, by Macfarlane on the authority of a charter quoted by Lord Strathallan.

Gilbert, Earl of Strathern, the founder of the Monastery of Inchaffray, granted a number of the more important charters printed in this volume. The distinction between those granted to brethren and those granted to canons is set forth, *ante* p. xxiv, and it is to be observed that in the great charter of foundation (No. IX.) he describes himself as son of Ferteth, and by the indulgence (=grace) of God earl. This style may be held to suggest that some of the subjects were given or promised by his father. The grantee Malise, priest and hermit, was not improbably a relation. This Malise appears in the place previously occupied by I., Isaac or the successor of Isaac, or possibly J. is Jonathas, second Bishop of Strathern. The earl witnessed a charter of King Malcolm to Scone in 1164, and was therefore born about 1150, and he died in 1223. He was justiciary, *c.* 1190.[2] He married (1) Matilda, daughter of William d'Aubigny, whom we suppose to have been 'Brito,' the founder of the house of Belvoir; (2), a lady named Ysenda, who granted a charter to

[1] Cf. *Chartulary of Lindores*, number forty-two of the Scottish History Society's publications.

[2] *Dunfermline Chartulary*, 35.

Inchaffray of five acres in her ville of Abercairny perambulated by her brothers Sir Richard and Galfridus de Gask (No. XLVI.).

He had issue:—

1. Gilchrist, witness to his father's charter of the Church of Aberruthven to the brethren of Inchaffray (No. III.), *c.* 1198. Died in the year 1198, and was buried at Inchaffray (No. IX.).
2. William, witness to Charters IV., V., IX., XIV., XV., XVII., and XXV., but disappears after 1208.
3. Ferthed, witness to Charters XI. and XII., and all those witnessed by William. He also disappears after 1208.
4. Robert, who succeeded to the earldom.
5. Fergus, who witnesses his father's charters after William and Ferthed cease and three of Earl Robert's as a knight. A charter was granted by him of a rent from Ouchtermakan *c.* 1247 (No. LXXV.). He confirmed his uncle's grant to Arbroath, and granted charters to Lindores.
6. Malise. He first appears as a witness to No. XXV. of the Charters, 1203-8, again to Charter XXXIX., his brother Robert's Charters XLI. and LII., and in August 1234 he witnessed the Bishop of Dunblane's charter remitting certain tithes. Afterwards as a

Sir Malise also witnessed the confirmation charter of his nephew Earl Malise 1247 (No. LXXVI.).[1]

7. Gilchrist, witness to Charter XXV. by his father and to none of his brothers.

8. Gilbert, witness to Charters XXXVIII. and XXXIX. by his father, and to XL. and LI. granted by his brother Robert. He also witnessed Earl Robert's charter to Lindores in or after 1233. In 1213 he was in England as a hostage for the king, and living with William de Albini,[2] who died 1215. This Gilbert was apparently the ancestor of the family of Glencharny, for which see the *Chiefs of Grant*, by Sir William Fraser.

Matilda, witness to her father's Charters XI. and XII., married to Malcolm, son and successor of Earl Duncan. A charter of Glendovan, Aldie, and other lands to them granted by Earl Gilbert is printed in the Appendix to the *Lib. Ins. Miss.*

Cecilia, wife of Walter, son of Alan (Ruthven). They had charter of Kulgase from Earl Robert, confirming a gift by Earl Gilbert.

Ethne, first wife of David de Haia, erroneously named Helen in pedigrees, was probably a daughter of Earl Gilbert.

Robert, eldest surviving son, described as heir in Charter XXVIII., was a knight in 1215,[3] and succeeded his father as Earl of Strathern. As heir-apparent he confirmed grants to the abbey by his father in 1219 (No. XLI.), and as earl he granted a general confirmation (No. LI.). He confirmed gifts by Nigel de Lutoft in Dolpatrick, and Henry, son of Tristram, in Kyntocher (No. LVI.), and confirmed (No. LVIII.) a charter

[1] See Charters in the Appendix to the *Lib. Ins. Miss.* (Bannatyne Club).
[2] Bain, i. 574, 588. [3] *Chartulary of Scone*, 90-1.

of Robert de Meggefen and Soliva his wife (No. LVII.) which he the earl had witnessed.

Earl Robert assented as patron of the see to an agreement between the Bishop of Dunblane and the abbey (No. LX.) dated in August 1234. He witnessed the treaty between the kings of Scotland and England respecting Northumbria 1237.[1]

He died before 1244. We have no record of his wife's name, but she is mentioned by her son as living in Charter LXXVI. He had issue :—

Malise II.

Hugo, a monk in 1257, when he witnessed a charter of his brother, and probably Abbot of Inchaffray.[2]

Gilbert, witness to Charters LXXXVI., LXXXVII., LXXXVIII., had a grant of the lands of Durie before 1269,[3] and of Ballenolleth from his brother, recited in Charter XCVI. He may therefore be the founder of the house of Durie.

Amabilia, to whom Earl Malise granted a charter of Kincardine as her marriage portion *c.* 1250. For this and a subsequent charter to Sir David de Graham, obviously her husband, and to Patrick de Graham, see *Historical MSS. Com. Report*, vol. ii. p. 166.[4]

Maria, to whom Earl Malise granted a charter[5] empowering her to follow natives of Straty and Pronny

to whom Earl Malise granted them, had failed,[1] whereupon Earl Robert granted Kelour to Sir James de Douglas, Lord of Dalkeith.

Malise II., born *c.* 1215-20, appears in Parliament 1244 and 1255,[2] and was one of those given as guarantors of the treaty of 1244 by Alexander II.[3] He was present at the coronation of King Alexander III.,[4] and was in the special confidence of King Henry III. respecting the safety of the Queen of Scotland. A letter of the earl to the King of England on this subject, written from St. Andrews in answer to one received on the Vigil of the Ascension, 1258, is preserved among the Royal Letters, and is printed in the National Manuscripts of Scotland.[5] He was of the party allied to England which opposed the Comyns in 1255, with English support.[6] Had a passport for going beyond seas in May 1259,[7] and was one of the earls mentioned in the letter of King Henry III., November 16, 1260.[8]

He married first Marjory, daughter and co-heir of Robert de Muschamp, before 1250, in which year, on the death of Robert, he paid fifty merks for relief in doing homage for lands in Northumberland. In the following year he was impleaded to warrant lands claimed by Isabella, widow of Robert, in dower, including the manor of Harndon, in Northamptonshire.[9] Countess Margery was dead in 1255, for in that year the earl paid one hundred pounds or fifteen merks gold for the custody of his daughters and her heirs, Muriel and Margery, and he is traced in the Northumberland Writs to near the end of his life.

Before December 1257 Earl Malise married Matilda, daughter of Gilbert, late Earl of Caithness and Orkney, and thereby acquired the barony of Cortachy in Angus. Subsequent events prove her to have been the mother of his son Malise III.

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[1] *Reg. Hon. le Morton*, ii. 60 and 86.
[2] *Acts*, i. 703-7.
[3] *Fœd.*, i. 257 (edition of 1816).
[4] Fordoun, III. xlviii.
[5] See also *Fœd.*, i. 371, and Bain, vol. i. No. 2125.
[6] *Fœd.*, i. 326.
[7] Bain, i. 2156.
[8] *Fœd.*, i. 402.
[9] Bain, i. 1801.

The earl granted the church of Cortachy to the Abbey of Inchaffray (No. LXXXVI.), in December 1257, at Crieff. He evidently held his first wife's property in Northumberland by the courtesy of England, for he was charged with scutage (1261-2).[1] At the same date he and Emma his wife are mentioned as owing five marks for an unjust detention, which sum was still owing in 1267.[2] Who this Emma was we have been unable to discover.[3]

In 1268 Earl Malise married Maria, widow of Magnus, King of Man, and daughter of Eugenius de Argadia.[4] This lady was remarried to Hugo de Abernethy, who died 1296. A post-nuptial dispensation, dated April 9, 1281-2, printed by Theiner, p. 125, probably relates to her. The parties were in the fourth degree of consanguinity. She did homage to King Edward in 1291 and 1296, was described as wife of William Fitzwarin 1298-9, a widow at Christmas 1299, and died before January 1304-5.[5] The earl died in 1271, having had issue:—

Malise, his heir.

Robert de Strathern,[6] probably identical with the Robert who did homage to King Edward in 1296, for his armorial seal exhibits a chevron.[7] He was committed to the Tower 1297.[8]

Muriel, co-heir of her mother, wife of William, Earl of Mar.

Malise III., born *circa* 1257. He succeeded 1271, but was not at first styled earl, which can only be accounted for on the ground of his minority, unless he had an elder brother whose name has been lost. He was party to the Norway marriage treaty of 1281 as earl.[1] As son this Malise granted the advowson of the church of Struy (Strowan) to the abbey, and shortly afterwards, as son and heir and earl, he, March 26, 1283 (Nos. CXIV., CXV.), granted annuities from Dunning and Pitcairn in accordance with an agreement to compensate the abbey for loss of tithes (No. CXIII.). In the charter of twenty merks from Dunning (No. CXIV.) the earl refers to Malise his father, and Gilbert his 'proavus.' On January 15, 1284-5, Pope Martin IV. addressed a letter to him as patron of the see of Dunblane, from Perugia, stating that William, abbot of Arbroath, was consecrated bishop.[2] The fact that all the Papal Letters are addressed to the earls, and that this bishop obtained a faculty to dispose of his personal property by testament—which property, in the case of his predecessors, had always been taken by the earls[3]—further indicates the status of this earldom. Earl Malise assented to a decision that the patronage of the vicarage of Strugeth belonged to the abbey, 1287 (No. CXVIII.), the last of the writs yet discovered which connect the ancient earls with the abbey. In 1290 he rendered his account as farmer of the burgh of Auchterarder.[4] The earl took a leading part in affairs of State, and was a party to the treaties with Norway and England which preceded and followed the deaths of King Alexander and the Maid of Norway. He supported the claim of Baliol to the throne,[5] and did homage to King Edward, July 12, 1291, at Stirling;[6] was present when judgment was given for Baliol at Berwick, on Monday, November 17, 1292.[7] On July 24, 1291, Lady Maria, Queen of Man and Countess of

[1] *Fœd.*, ii. 596.
[2] *Papal Letters*, i. 472-3.
[3] *Ibid.*, p. 540.
[4] *Exchequer Rolls*, i. 51.
[5] *Fœd.*, iii. 767.
[6] *Ibid.*, iii. 772.
[7] *Ibid.*, iii. 780.

Strathern, evidently dowager, also did homage. In 1293 the earl gave his daughter Matilda in marriage to Robert de Toeny, son of Ralph. The marriage settlement, in the form of a notarial instrument, was dated at London, April 26, 1293, was recorded in the Memoranda Roll of 20-21 Edw. I., and is printed *in extenso* in *Historical Documents relating to Scotland*, vol. i. pp. 394-5-6. It proves that the spouses were quite young—the lady well under twenty. She was dead *s.p.* January 16, 1309-10.[1]

Earl Malise was summoned to London on military service, June 29, 1294.

The wife of this earl, about 1275, was named Marjory, as we understand the attesting clause of No. cv., and is stated by Wyntoun, Book VIII. chap. vi., to have been the second sister of John Comyn, Earl of Buchan, who negotiated on behalf of Earl Malise the marriage settlement above mentioned. She was therefore daughter to Alexander, Earl of Buchan, by the daughter of Roger, Earl of Winchester.

The earl swore fealty to King Edward, June 19, 1296, at Stirling, on August 28 at Berwick.

Earl Malise received a papal brief as patron, confirming the election of Alpinus as Bishop of Dunblane, and on death of William (of Arbroath), dated October 1296.

According to the *Scala Chronica*[2] he was one of those taken

Atholl, August 25, 1306. He was taken prisoner in 1307, sent to Rochester Castle, delivered to Aymar de Valence, and by him to the Sheriff of York.[1] In January 1306-7 the countess and Malise his son having written for news of him, the King of England from Lanercost directed the Earl of Pembroke to do as usual. Consequently the countess was permitted to join her husband, the son being a prisoner in Carlisle. The earl was sent to York, and afterwards tried at Westminster, pleaded that he had joined Bruce under duress, was acquitted of ill-fame, and apparently set free in November 1308, when Patrick, Earl of Dunbar (brother-in-law),[2] Robert de Tony (son-in-law), Alexander de Abernethy (son of his stepmother?), and Henry de Sinclair were his mainprenors. We trace him as in receipt of an English pension and in Berwick 1310, and as alive in 1312.

It is stated by Sir James Balfour,[3] on the authority of the Inchaffray Register, that this earl died *anno* 1312, and was buried in the abbey church on the right of the high altar. He refers to a folio not now in the Register, and there are strong reasons for inferring that both the first and last pages of the Register are missing. The historical facts support Sir James Balfour's statements, for Malise III. remained to the last an adherent of the English king; and about 1312-13 the reigning earl supported Bruce.

His wife's name at the close of his life was Agnes, who may be the countess indicted with William de Soulis.[4]

He had issue:—

1. Malise IV., son of Marjory Comyn.[5]
2. Gilbert, not improbably eldest son, a guest hostage or prisoner in England, August 1296-7,[6] but evidently treated with consideration, for he was living with King Edward's son in July,[7] and had a black horse

[1] *Fœd.*, iii. 995. [2] Wyntoun. [3] MS. in Advocates' Library.
[4] Fordun, i. 348 (edit. 1871). [5] Wyntoun.
[6] *Historical Documents*, ii. 134. [7] *Ibid.*, 137.

which the king took and paid for.[1] The above authorities suggest that he was with the king in Flanders as an esquire.

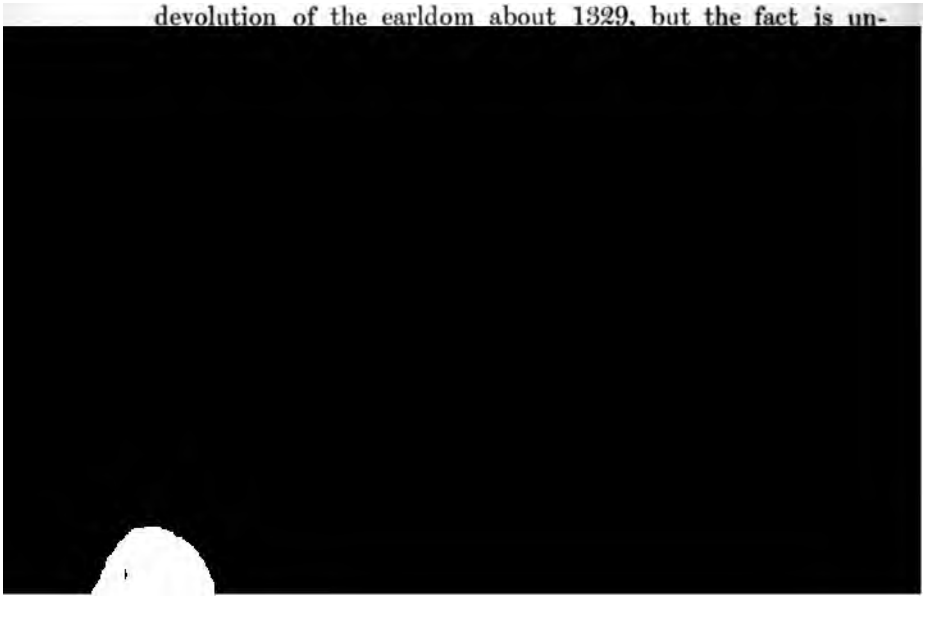
3. Matilda, married to Robert de Thony.

The above children were clearly born 1275-80, and presumably by his first wife.

Malise IV., born, as we suppose, 1275-80, appears as a hostage in England, possibly in 1296-7, certainly in 1307, and was (or his brother was) a prisoner in the Tower of London 1297-8,[2] and was in Carlisle 1307.[3] He had grant of four casks of wine January 1309-10, and was receiving an allowance from the English king in January 1309-10.

He was earl when he granted Abercairney to his daughter and her husband,[4] and he was one of the nobles who sealed the letter to the Pope 1320. He also witnessed a Royal charter to Sir William Olifant, March 20, 1325-6, at Scone.[5]

We have little further information about him. He or his son is shown to have been in possession of part of the earldom of Caithness in 1331 by an entry in the *Chamberlain Rolls*,[6] and he is stated by Knighton, but by no other historian, to have been killed at Halidon Hill, 1333. It is more probable that he fell in the Perthshire campaign, and it assists the exposition of the pedigree if we assume that there was a devolution of the earldom about 1329, but the fact is un-



of Cortachy, confirmed by King Robert. She may be the countess who had annuities specified in the *Exchequer Rolls* (vol. i.), and was living in 1370, when she confirmed a charter of her daughter Johanna de Moravia, Lady of Drumsagard.[1] It is alleged in all the printed peerages, and by Sir William Fraser in his Sutherland and Menteith books, that she was remarried to John, Earl of Atholl, and others—a subject which is discussed below.

The earl had issue by his first wife:—

1. Malise v.
2. Maria, wife of Sir John de Moravia of Drumsagard, to whom her father granted a post-nuptial charter, *c.* 1319-22, of the land of Abercairney.[2] This grant was confirmed by her brother, the last earl, *c.* 1330, *i.e.* between his succession and resignation.
3. ? a daughter Jean.

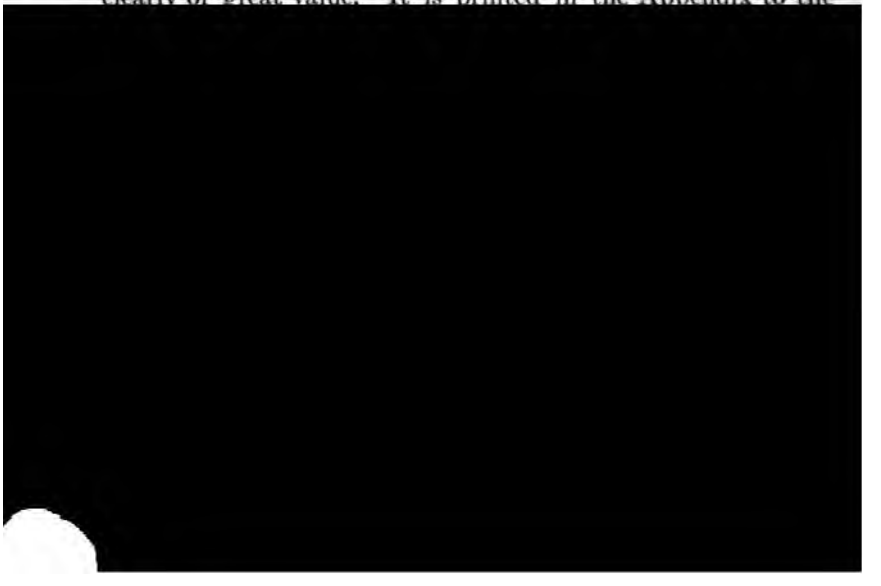
Malise v., born *c.* 1315, last Earl of Strathern, described as a notorious rebel by King Edward, and opposed to Edward Baliol, asserting himself to be King of Scotland, and maintaining himself in that position from the battle of Halidon Hill to 1338. We learn from Wyntoun that the whole gentry of Strathern supported him. Earl Malise, having succeeded to the Angus earls of Caithness and to the earldom of Orkney, evidently preferred to betake himself to the north, after vainly attempting to recover[3] the earldom of Strathern which Edward Baliol granted to John, Earl of Warren. He is alleged to have proposed to give it with his daughter Jean to Warren, but there is no certain record of such a daughter, and the Earl of Warren was married to Jean de Bar, from whom he endeavoured without success to obtain a divorce at Rome.

The action of Earl Malise, whatever it may have been, was considered to justify his forfeiture by King David. A Roll of

[1] *Laing Charters.* [2] *Lib. Ins. Miss.*, App. x. [3] *Fœd.*, ii. 878.

Proceedings in Parliament, which has recently come to the Register House, proves that in Parliament at Scone, held Monday, June 7, 1344, an accusation by Robert Mautalent of Earl Malise was heard, and it was found and decided that the earl had been tried and acquitted of felony and treason. Nevertheless by his having resigned the earldom of Strathern in the hands of Baliol as king *ad remanentiam*, he had ceased to be earl, and the earldom was in the king's gift. King David had already, it would seem, granted the fief or dignity to a lady named Jean and to Maurice de Moravia, her husband.

Earl Malise can thereafter be traced only in the north,[1] where he was Earl of Caithness and Orkney, having travelled to Norway to obtain investiture of the latter earldom. He there married two of his daughters to Swedish noblemen.[2] He died probably about 1353, certainly before April 1359. The latter part of his career and the succession to his northern earldoms is discussed very skilfully in the introduction by Joseph Anderson to an edition of the *Orkneyinga Saga*, published in Edinburgh 1893. In respect of the succession to Orkney, a diploma or memorandum was made out by Thomas, Bishop of Orkney about 1443, and as the bishop describes one of the earl's grandsons as then living, the document is clearly of great value. It is printed in the Appendix to the



hold Strathern as Malise held it. We infer that it was by no means clear to King Robert that Alexander de Arde had no claim as heir of line, but Lord Hailes, when compiling the additional case for the Countess of Sutherland, and giving evidence of females inheriting the ancient earldoms, was unable to offer any evidence as to Strathern before the Stewarts held it. Alexander de Arde afterwards claimed to be Earl of Orkney, and King Hakon of Norway granted it to him provisionally in 1375, not as earl but as commissioner, afterwards selecting one of the younger co-heirs.[1] He died *s.p.*

Earl Malise married, secondly, Margery, daughter of Hugh, Earl of Ross, styled Countess of Caithness and Orkney, by whom he had issue :—

1. Agneta, wife of Erngist Suneson, otherwise Hereginsill de Swethric, knight, who held the title in 1353 and was deposed 1357. She died *s.p.* before 1360, when her husband founded an obit mass for her soul at Calmar.[2]
2. Isabella, wife of William, Lord of St. Clair, and mother of Henry de St. Clair, Earl of Orkney, father of the earl in whose time the bishop's diploma was written.

The Earl of Orkney granted lands in Aberdeenshire by deed at Kirkwall, 1391, to his brother David in exchange for any right he had in Orkney and Shetland. Confirmed by King Robert III.[3]

3. ———, wife of Gothormo le Spere, knight, and mother of Malise le Spere or Sperra, knight, who was present at an assembly of nobles at Kelsingborg, September 1389, and was killed in a conflict in Shetland in the same year without lawful issue.
4. ———, died without issue.

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[1] Introduction to *Orkneyinga Saga.*

[2] *Orkneyinga Saga*, Introduction, p. 59. [3] *Reg. Mag. Sig.*, 196.

Mr. Anderson doubted the accuracy of the above statement on the ground of a charter[1] confirming a contract of marriage between Earl Malise and William, Earl of Ross. But Earl Malise granted not the hand but the 'marriage' of Isabella to Earl William, who was in fact her uncle, and could not himself espouse her. The diploma proceeds to state that Isabella survived all her sisters and all their issue, and was known 'to the eyes and ears' of persons living when the bishop wrote.

Thus ended the male heirs of the founders of Inchaffray, and the lineal heirs must be searched through Sinclair. Whether there exist any male descendants of the Earls of Strathern, and whether there was a surname Strathern peculiar to the house, we have no conclusive evidence. Several persons, male and female, are called de Stratherne, who may have been sons and daughters of the earls, but probably many others were styled de Stratherne merely because they came from the district.

John, Earl of Warren and Surrey, to whom the earldom of Strathern was granted by Edward Baliol, was one of the most trusted counsellors of King Edward III. His career, with special reference to his matrimonial difficulties, is the subject

attempting to divorce her. The history of these proceedings is of great importance to canon law, for in the result Pope Clement VI., in 1344, ruled that a dispensation for the fourth degree remained valid even though the parties were in the fourth and third degree, which ruling was held by all subsequent Popes as binding. It is therefore possible that the Earl of Warren might be thought free to marry during Baliol's reign. He died in 1347.

In 1339 there appears a lady named Johanna, Countess of Strathern, whom some previous writers have identified as Johanna de Menteith, widow of Earl Malise.

The countess married (1) John Campbell, Earl of Atholl; (2) Sir Maurice de Moravia of Brunsergarthen, for which marriage the Bishop of Dunblane received authority to grant a dispensation from Pope Benedict XII. dated 5 Ides of July 1339. Sir Maurice was created Earl of Strathern (in 1344), and was killed at the Battle of Durham in 1346. Countess Jean then married William, Earl of Sutherland, and the Bishop of Caithness received from Pope Clement VI. authority to grant a dispensation dated 3 Ides of November 1347, which states that John, Earl of Atholl and 'Maurice Earl,' were her former husbands, and that all the three successive husbands were related in the fourth degree to each other. No mention is made of a husband Malise, though both bishops must have known the fact if she had been his widow.

This lady as Countess of Sutherland granted with her husband the ward of John Mercer in her county of Strathern to Sir John Menteith, Sheriff of Clackmannan[1] before May 31, 1352, and apparently survived her last husband, who died 1361.

This countess[2] was therefore living contemporaneously with Johanna de Menteith.

[1] Fraser, *Sutherland Book*, iii. 16.

[2] This lady was wife of John, Earl of Atholl, killed at Halidon Hill. If H. Knighton were correct in stating that the Earl of Strathern was also killed at

King David granted the earldom to his nephew and heir-presumptive, Robert, the Steward of Scotland, in 1357, who confirmed to Inchaffray, May 8, 1358, at Crieff (No. CXXXIV.) the charter of an annuity of forty merks from the thanage of Dunning by Earl Malise, *c.* 1285 (No. CXIII.).

Earl Robert was always afterwards known as Earl of Strathern, though he had previously been created Earl of Atholl. He became king in 1370, and thereupon granted the earldom to his eldest son by his second consort to hold as

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that battle, Earl John could not have married his widow. It is proved by the Papal dispensations that the wife of the Maurice de Moravia, Earl of Strathern, and afterwards of William, Earl of Sutherland, was the widow of John, Earl of Atholl. In both the abstracts of these dispensations, printed by the Record Office, John is called her first husband, but the abstracts are both incorrect, for the words in each case mean former husband, as reported to me by Monsignore Lindsay, who has examined the original registers. But the narrative in the Sutherland dispensation certainly conveys the impression that the countess had had no more than two previous husbands.

Now, that there were two Joans, both Countesses of Strathern, is indicated by a charter in the *Cambuskenneth Chartulary*, p. 255, where the granter styles herself a widow. The charter is proved by the witnesses to be between 1351 and 1357, and during all those years a Joan, Countess of Strathern, was wife of the Earl of Sutherland. There is no evidence that Johanna de Menteith had any property in the earldom as distinguished from lands. She was a second wife, not the mother, of the earl, and was given the barony of Cortachy in fee. Joan, Countess of Sutherland, was in effective possession of the comitatus, as the charters to Sir John Menteith of the ward of a vassal proves. The Countess of Atholl, Strathern, and Sutherland is never called of Menteith nor Lady of Cortachy.

It is to be observed that in neither of the dispensations is any relationship

Malise held—having previously bought up the rights, if any, of the heir of line. The subsequent history of this last creation forms the subject of a peerage claim which has been pending in the House of Lords for the last seventy years.

Earl David, styling himself Palatine, granted the abbey a protection for making a causeway and bridge, April 8, 1375 (No. CXXXVIII.), the last of the charters here printed granted by an Earl of Strathern.

Stewards and Murray.

We learn from Charter II. that about the year 1195 Gillenem (or Gilliene) was dapifer or seneschal of Strathern, and that about 1199 (No. IV.) he had a son Malise. The name of the son suggests that the ancestors of Gillenem had been stewards during the twelfth century. About 1211 Malise succeeded to the office (Nos. XXXI-II-III.), but soon after the death of Earl Gilbert, Earl Robert appointed B. de Dunning (No. LVIII.), having had Jordan as his steward when heir-apparent (No. XLI.). In the year 1238 (No. LXIV.) Morinus de Kindeloch was steward, but probably steward of the Earl of Winchester, for Morinus witnesses Charter XLII., and seems identical with Morinus le Marr.[1] After this no charters are witnessed by the steward till 1271, when Bricius is the witness (No. XCIX.). In 1284 Malise who had been steward was dead,[2] and thenceforward the office is traced under Drummond. Not improbably the charters witnessed by the steward were those granted in the earl's court.

Malise, son of Gillenem, is the founder of the house of Tullibardine. Earl Robert granted the ville of Catherlauenoch called Tullibardine to Conghal, son of Duncan, son of Malise, to hold to him and his heirs by Ada, daughter of Ralph. Confirmed by King Alexander at Scone, April 3, 1234.[3]

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[1] Cf. No. XXXVIII.

[2] Bannatyne Club, App. XXXVI.

[3] *Lib. Ins. Miss.*, App. XXIX.

Duncan and Gilletomas, sons of Malise, witnessed the charters of Earl Robert before his succession (No. XLI.).

Muriella, daughter of Coneval, married the Sir Malise who was steward of Strathern, after Bricius, and granted the lands with her daughter Ada to Sir William de Moravia, son of Sir Malcolm. Muriella had a son Henry who confirmed the grant to his sister; but right to the eastern half was challenged by one Maria, relict of Eugenius, son of Coning (Conan), natural son of Henry, Earl of Atholl,[1] and she, evidently co-heir with Muriel, granted it in feu-farm for her life.[2] In 1297, Earl Malise granted that he had no claim on Murray except for foreign ('forinsecum') service.[3] It is proper to add that Sir William Murray of Tullibardine was a younger son of Sir Malcolm; and John, son and heir of Sir Malcolm, granted to his brother the lands of Aldie which formed part of the 'maritagium' of Matilda, daughter of Earl Gilbert, on her marriage with Malcolm, son of Earl Duncan.[4] There is a traditional descent of the Murrays of Bothwell from this marriage. The present Duke of Atholl possesses a number of Strathern charters, reported by the Historical Manuscripts Commissioners,[5] for which there are four possible sources: (1) Descent of Tullibardine; (2) Descent of Aldie; (3) Representation of the Stewarts of Atholl; (4) Representation of Gask, and it is much to be desired that they should be compared with those

Abercairny on October 29 or 30, 1339. Maurice granted a letter of reversion. The letter is in form of indenture, and recites that owing to the state of war and the poverty of the inhabitants the canons had difficulty in collecting their annuity of forty-two merks from Dunning; consequently they grant the annuity to Sir Maurice, except ten merks from Peckaryn, from Pentecost 1344, for ten years, receiving as rent a stone of wax each of the first five years and two stone each of the latter five years, dated February 24, 1343-4. The question arises whether this Maurice is the Moray of 'Brunsergarthen' who obtained a dispensation to marry Joanna, Countess of Strathern, in July 1339, and therefore the Moray created Earl of Strathern in the spring of 1344. We are unable to find any such place as Brunsergarthen, which is not an unlikely version of Drumsargard, considering the constant misspelling of Scottish place-names in Papal briefs. It is therefore possible[1] that this Sir Maurice is the earl. We observe that in the former writ he is not styled knight, from which we infer that he is not identical with the Maurice de Moravia who was taking a prominent part in 1335-6, and was forfeited by Edward I.[2] If then, in 1339, Maurice of Drumsargard was a young man, he might be the son of Sir John de Moravia of Drumsargard by Maria de Strathern. This has, indeed, been frequently asserted by previous writers. We now know that Maurice did not succeed to Strathern in right of his mother, nor was it for his own merit only that he was created earl, but that he was so created because he had married the countess. However, if he was son of Marie, he cannot have married his grandfather or uncle's widow, and Joanna the countess was not Johanna de Menteith. There is one objection to this view arising from the two writs under examination, which is that

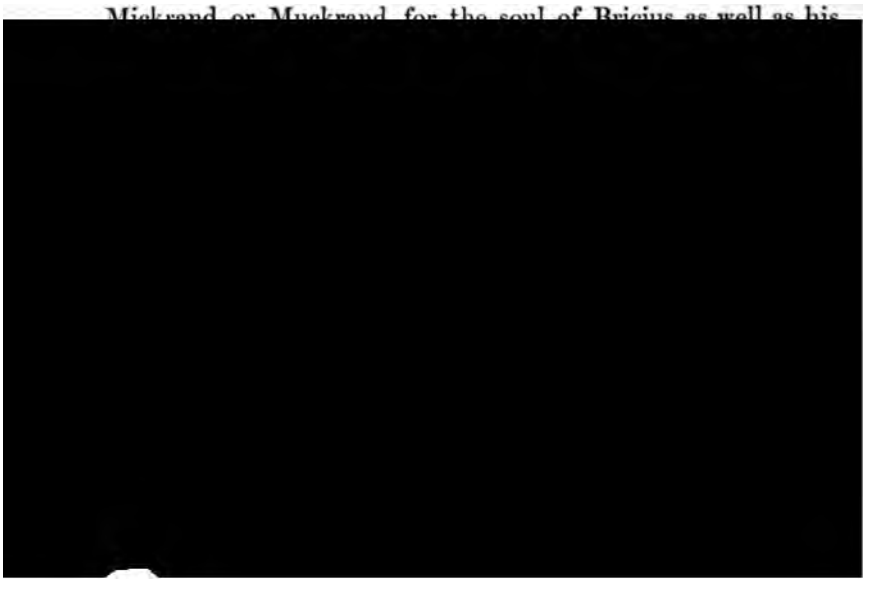
[1] Compare with p. lxxiii, note.

[2] Bain, iii. 368. The non-mention of knighthood in the record there printed is normal, and does not affect the argument in the text.

if Sir Maurice had married a countess in her own hereditary right he ought to have been styled Lord of Strathern. The answer is that Joanna could not be countess by hereditary right, and not improbably if a created countess she was created for life only. Maurice, Earl of Strathern, was killed at Durham, and his widow was remarried within a year as stated above.[1] If he was the party to Indenture cxxx., the annuity reverted to the abbey in 1346, and the second stone of wax was never paid. We have unfortunately no further evidence about the annuity till 1358, when the new Earl and High Steward again confirmed it, without any mention of its temporary alienation—CXXXIII. and CXXXIV.

ARDROSSAN.

Bricius de Ardrossan appears as a witness to Charter LXVIII. (1240), and to the Charter XCVI. (1268) by which Earl Malise granted an annuity of six merks from Abercairny in lieu of a similar annuity from Ballenolleth. He also appears as a witness to a charter of Sir Fergus to Lindores.[2] This and the following charters set forth an arrangement of some importance. Bricius quitclaimed to the earl the lands of Bathaldy and Lanyrky to take effect after his death. The earl therefore makes a grant of four merks annuity from Miekrand or Muckrand for the soul of Bricius as well as his



sasine on November 30, 1371, by the hands of two servants Michael and Martin. This complicated arrangement seems to result in a commercial transaction without any benefaction, and we suspect that Bricius, probably of a great Ayrshire family,[1] wishing to be quit of outlying possessions in Strathern, sold all his interest to the abbey, who acquired in such a way that Luke de Petlandy suffered no damage. This Bricius was not the dapifer of that name, for that officer witnessed his grant (No. XCIX.) as did the bishop. Luke de Petlandy confirmed the whole arrangement (No. CIII.).

COMYN.

Sir John Comyn, son of the late Sir John, granted to the abbey in 1278 (No. CVIII.) a right of access to Perth through his wood of Rosmadirdyne from the public road which leads from the monastery by the black ford, called in Scottish Athebethy, the abbey to make and maintain a bridge.

He also granted (No. CIX.) the person of Gillecrist Rothe, son of Gyllehtheny. Both these charters are granted at Gasknes in July, and with the same witnesses, first of whom are the granter's brothers, Sir William and Sir Alexander.

The granter of this charter must be the second Sir John Comyn of Badenoch, cousin of Alexander, Earl of Buchan, who might, at this date, be the proprietor of Gask in right of his wife Isabel de Quincy.

The genealogy of the Comyns has never been satisfactorily stated, and we are unable to explain by what title Sir John became possessed of property between Inchaffray and Perth; but that Gasknes, of which Rosmadirdyne (Ross Farm) was a member, is shown to have belonged to the Comyns of Badenoch.[2] His brother, Sir William, claimed the earldom of Menteith, having married the daughter of Countess Isabella

[1] See Fraser, *House of Eglinton.*

[2] Robertson, 26-28.

the Rennarius witnesses No. LVI., Master H., son of Tristram, witnesses No. LVII. with Tristram de Gortin, and the identification of these brothers is perfected in the testing clause of No. LVIII. Tristram de Gortin appears alone in Nos. LXXIII., LXXIV., LXXVI. (1247), again in Nos. XCVI., XCIX. (1271), CVI.

The same name appears in 1365 (No. CXXXV.), in 1454 (No. CXLIX.), when we have Gorty of that ilk, and we learn from the decree of Bishop Robert in 1461 that a previous Tristram de Gorty had granted a mortuarium of one hundred shillings.

In 1507 Gorthy was erected into a barony, and the then Tristram was a tenant in chief of the king probably as of the earldom. Such was the origin of a gentle family whose possessions passed with an heiress to the Lundies and through the Murrays to the Grahams of Gorthie.[1]

LOVETOFT.

It appears from Charter LV. that Nigel de Lutoft, probably identical with Nigel de Dolpatrick of 1200 (No. IX.), granted six acres in Dolpatrick to Inchaffray in the time of Earl Robert. Sir Roger de Lovetoft witnessed Charters LVI. and LVII. of the same period. And William de Louetoft was a witness for Earl Malise, No. LXXXVIII. (1258).

stated by Philpot, Somerset Herald, to have had two younger sons, Richard and Walter.

There was a Roger de Lovetoft sheriff of Nottingham in 1257-8.[1] And the confirmation of the founder's charter by his son Richard is witnessed by Henry and Radulf de Luvetot.[2]

Louttitt, a name now existing in Scotland, may be a derivative. Loutfute appears in Drummond Charters.

See further under Meckfen, a comparison with which suggests that Soliva, wife of Robert de Meggefen, was daughter of Sir Roger de Luvetoft and that he was son of Nigel.

MACNAUGHTEN.

Gilchrist, son of Malcolm MacNathen, granted the advowson of the church of St. Mordac of Kellemurche or Kelmorch to Inchaffray by two charters of about the same date, for the witnesses are the same. In the former (No. LXXIII.) the gift takes effect from the death of the clerk, not mentioned in the second.[3] But the true reason for the second charter may have been the desire or necessity of obtaining episcopal sanction, and the second charter states that the Seal of the Bishop of Dunblane is procured, he being a custodian of the see of Argyll. Therefore Kellmurche is now Kilmorich in Argyll, and we have a Papal Brief by Innocent IV.[4] commissioning the Bishops of Glasgow and Dunblane to attend to the matter of the vacancy of the diocese of Argyll, which had lasted seven years.[5] The brief is dated 10 Kal. Jan. a.p. VI. Dec. 23, 1248.

Gilchrist mentions his wife Bethok, and his charters are witnessed by the late earl's uncle, Tristram de Gorthie and

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[1] Bain, i. 2099-2105.

[2] Dugdale's *Monasticon Anglicanum*, vi., under 'Workesop.' See also Dugdale's *Baronage*, i. 569.

[3] Cf. the endorsement of the earlier given in facsimile.

[4] This Pope did not always adopt the same date for the commencement of the year.

[5] Theiner, 52; *Papal Letters*, i. 251.

William, son of Hauok. The charters indicate that he was of baronial rank. The ancient seat of the Macnaughtons was Dundaraw in Kilmorich parish.[1]

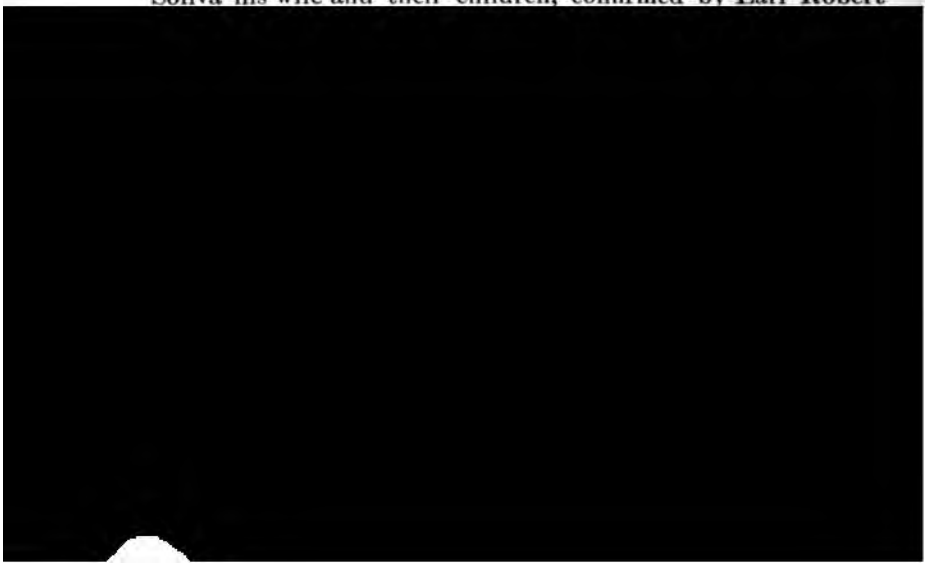
In the year 1257 Ath, a brother of Gilchrist, granted the church of St. Findoc at Inchealt, in the diocese of Argyll, with the consent of Sir Gilbert his brother, who witnessed Earl Malise's charter of Cortachy (No. LXXXVI.), no doubt the eldest of the brothers (No. LXXXV.).

It appears from the Taxt Roll of the lordship of Inchaffray that there was in 1630 a Macnaughten who rented the teinds of Kilmorich or Kirkmoriche, then estimated to be worth £66, 13s. 4d.; and the following entry appears to relate to Inchealt or Incheall, the proprietor being Patrick M'Kairtour of Tullievodiche.[2] These teinds are stated to be then worth £233, 6s. 8d.

The teinds of Kilmoriche were leased to Alexander Macnaughton, March 4, 1618, at Edinburgh, and those of Inchald to Patrick M'Arthur of Torradithe on the same date by the commendator, Lord Madertie, all the canons being dead.

MEKFEN.

Robert de Meggefen granted two tofts and four acres in Dolpatrick, otherwise Kenandheni (No. LVII.), with consent of Soliva his wife and their children, confirmed by Earl Robert



Roger de Mekven of that ilk granted the lands of Carnbo. He was probably grandson of Robert. His charter (No. CXXXVI.) is witnessed by a son William.

Robert de Mekven of that ilk granted his Brewland of Mekven with pasture for twenty cows, sixty sheep, and two horses, etc., at Perth, March 9, 1443-4. The same land was granted to the abbey by James II. in 1450, on the resignation of Andrew Toische (No. CXLVII.); indicating that between 1444 and 1450 the property of the de Mekvens had passed (perhaps with an heir-female) to the Toshachs of Monzievaird, who possessed the lands of Mekven in the sixteenth and seventeenth centuries.

PETLANDY.

Theobald, son of William, son of Clement, granted Charter LVI., witnessed by his brother Walter Clement. It would appear that the name of the ancestor was the surname of this family, for it will be observed that Earl Robert's charter, No. LV., is witnessed by W. Clement. Theobald granted to the abbey a toft of six perches long and six wide with two acres in his ville of Petlandy in the field (presumably tilled in runrig) called Fitheleres flat, with common pasture for eight cows, sixty sheep, and two horses. This interesting grant indicates the wealth that might attach in 1230 to a small toft. The grant was confirmed with definition of the boundaries by Luke, son of Theobald, *c.* 1272 (No. CIII.), who also confirmed as superior a gift by Bricius de Ardrossan (Nos. C. and CI.). Luke granted two further charters, one of a croft and toft near his house. And now the surname of Petlandy taken from the property is assumed (Nos. CV. and CVI.).[1]

[1] Theobald de Foglais or Fowlis may be the Dispensarius of Charter XXXIX., for Petlandy lies close to Fowlis.

De Quincy.

Of the origin of the de Quincys we have no satisfactory information. One of the most diligent and, in our opinion, the most accurate of English Heralds—John Philpot, Somerset Herald—records that Saher de Quincy, son of another Saher, married Matilda de St. Liz, and had a son Robert, who was father of Saher, created Earl of Winchester. Matilda would be doubtless a connection by marriage of Queen Matilda, and a son of hers, a likely companion of David, Prince of Cumbria, afterwards king.[1] The said son Robert married Orabilis (daughter of Nes, son of William), and by her had issue the future earl. We learn from the Bull of Pope Innocent (No. xxi.), that the late Orable granted eight acres in Gask to Inchaffray before 1203; and from No. xxxviii. that Earl Saher granted ten acres and pasture in the common pasture of Gask for ten cows. Unfortunately we have not found the original of this charter, and the witnesses are not recorded in the Register, but the public life of Earl Saher indicates the period between May 1217 and the spring of 1219 as the probable date, for in that year he joined the Crusade, and died in November at Damietta. We infer, therefor, that the grant by Earl Saher was in addition to, perhaps in substitution for, that of his mother, and that he had succeeded to Gask in her

and Grentemesnil that he was, March 13, 1307, created Earl of Winchester.[1] He was one of the barons who took a prominent part in the revolt from King John, and was succeeded by Roger, who had an elder brother Robert, and a younger brother also Robert. The elder Robert died *v.p.*, having married the heiress of Lincoln, which earldom descended to his female issue. The younger Robert married Helena, daughter of Llewellyn, Prince of North Wales, and widow of John le Scot, Earl of Chester and Huntingdon. Roger, who was not styled earl till after his mother's death in January 1235-6, married for his first wife Helen, eldest daughter of Alan de Galloway, half-sister of Devorgilla de Baliol; and he was recognised as Constable of Scotland. Their youngest daughter, Isabel, married Alexander Comyn, Earl of Buchan, who was also Constable. Their daughter married Malise III., Earl of Strathern.

Earl Roger died without male issue, and the earldom of Winchester, which was probably limited to male heirs, lapsed to the Crown. The sudden appearance of this family of de Quincy, and the great status it obtained by marriages both in Scotland and England, and its equally sudden disappearance, is very remarkable, and of great historical importance in relation to the position of subsequent claimants to the Crown of Scotland and adherents to Baliol.

Some observations on the pedigree were published by Mr. Bain in the *Genealogist*, vol. vii. p. 17.

Orable, mother of Saher de Quincy, is proved by the *Chartulary of the Priory of St. Andrews*, pp. 254-5, to have been daughter and heir of Nes, son of William, Lord of Leuchars in Fife (Sheriff of Perth), witness to charters of Malcolm IV. and King William before 1170. Whether 'heir' means sole legal representative is doubtful, for Nes had certainly two sons, Constantine and Patrick, probably by another wife.

[1] Roger de Wendover, 1215.

The fief of Gask evidently descended to Saher, Earl of Winchester, for he granted the church to the Hospital of Brackley, in Northamptonshire, for the souls of his father, mother, and eldest son, Robert. The Charters IV., IV.A, IV.B in the Appendix to this volume deal with that transaction.

There are chronological discrepancies in the printed accounts respecting Orable and her son. Earl Saher is stated to have married about 1170, and to have been a knight in 1172. If so, he must have been about sixty-five when he joined the Crusade, and his mother must have been married not later than 1155. On the other hand, the charter of the church of Leuchars to St. Andrews by Nes and Orable conveys the impression that Orable was then a child, and it is clear that it was this charter, and not that on p. 287 of the *Chartulary*,[2] which Orable attested as Countess of Mar, though the compiler of the *Chartulary* evidently thought otherwise. Her style as Countess of Mar is not explained by any known marriage; but, in the opinion of the present writer, Robert de Quincy,[3] having gone to the Holy Land in 1191, never returned,[4] and his widow married Gilchrist, Earl of Mar, whom we take to be G. Com̃ de Mar, who witnessed Lady Orable's charters of the davoch Fethar hathyn to St. Andrews.[5] This suggestion implies that Saher de Quincy confirmed his mother's grant in the lifetime of both his parents.[6] Another suggestion which the present writer desires if possible to reject is that the marriage of Roger de Quincy and Orable was annulled.

Nes, son of William, was a magnate, for the charters mention his Pincerna, Seneschal, and Chamberlain. Most of the Royal charters he witnessed were dated in Fife or Perth, and the charter of King Malcolm[1] indicates that he was an official in Fife *c.* 1160, but the Royal charters witnessed elsewhere are sufficient to show that he occasionally accompanied the king.

Miscellaneous.

Gilbert Socius Comitis (Nos. xi. and xii.). It will be observed that this person witnesses after the steward and before the judge or dempster. He is probably identical with Gilbert miles in Charters iv. and xiv., and we surmise that he served Earl Gilbert as an esquire and received knighthood from the earl. If this surmise be correct, we may further suspect that he received a knight's fee from the earl, which means about six hundred acres.

The interesting charter (No. lxxxvii.) granting a serf, Gilmory Makgillendes, to the abbey, is witnessed by Lorin Mac Gil, serf (son of the servant of St. Serf). This person reappears in Charter xcv. as Lorne Mack Gilherve—the *h* being substituted for *s*. He was apparently a personal attendant on the earl, and Gilmory probably a relation who became a lay brother in the abbey.

William, son of Hawok of Perth, sold to the Abbey of Inchaffray land which he previously held in feu-farm of Richard de Laycester, late burgess of Perth, and afterwards of the canons. We conclude that the abbey first bought in 1240 the superiority (No. lxix.) and now the property of this land (No. lxx.) The abbey next bought land in the North Street of Perth, which the same William held of the abbot and convent of Scone (No. lxxi.), and the sale was confirmed

[1] *Ch. of Dunfermline*, p. 25.

by Scone stating the then rent to be five shillings annually (No. LXXII.).

We learn from charter LIX., erroneously headed Charter of William de Laycestria, that the former land came to Richard de Laycester from John, son of David, and that the rent was sixteen shillings. Not improbably both these sales were originally wadsets, but no letters of reversion appear.

Unfortunately no mention of the second transaction appears in the Chartulary of Scone.

Robert de Laycester was a canon of Dunkeld, and no doubt the originator of these purchases.

GORDON AND DRUMMOND.

The principal actor in the ruin of Inchaffray was Alexander Gordon, second son of John Lord Gordon by Margaret, natural daughter of King James IV., and brother of George, fourth Earl of Huntly, the greatest champion of the Catholic cause in Scotland. Alexander entered holy orders, and was from 1544 to 1548 bishop designate of Caithness, to which see the queen asked Pope Paul III. to promote him.[1] Gordon accepted a pension of forty marks, and renounced all claim to the see, August 6, 1548. He was provided to the archiepiscopal see of Glasgow March 5, 1550,

The conduct of this Prelate, whose career is regarded with contempt by both Catholics and Protestants, is more fully explained by the documents at Dupplin Castle than elsewhere. He had a concubine called Barbara Logie, daughter of David Logie of King's Cramond, by whom he had five children; and the great object of his life was to provide for these children, and, if possible, get his lady recognised as a wife. Their issue were:—

1. John, educated at St. Andrews, Paris, and Orleans. Appointed Gentleman of the Chamber to three kings of France. He was granted the Bishoprick of Galloway and the Abbacy of Tongland, on his father's resignation, by royal charter, January 4, 1567, but seems to have gone abroad. He was made Dean of Salisbury in 1603, went to Balliol College, and was created D.D. August 13, 1605. He was also Rector of Upton Lovel. He married, first, Antoinetta de Marolles without surviving issue, and, second, Genevieve Petau, by whom he had a daughter Louise, married to Sir Robert Gordon of Gordonston. The dean died at Lewson, Dorsetshire, September 3, 1619, aged seventy-five.
2. George, died *s.p.*, had Royal gift of the bishopric 1586.[1]
3. Mr. Lawrence Gordon, who sold to Lady Drummond, in May 1577, two pensions from Inchaffray granted to him and his brother. The bishop contrived to get the temporalities of the see of Galloway granted to his son Lawrence, who was also made Commendator of Glenluce, erected into a lordship. His brother the dean succeeded to Glenluce, and sold it to Robert Gordon, who resold it in 1639 to the Marquess of Huntly. Mr. Lawrence was dead August 2, 1610, the date of his brother's retour.

[1] Scott's *Fasti.*

4. Robert, died *s.p.*
5. Barbara. She and her brother John elected Alexander Blair, burgess of Perth, their tutor, October 11, 1556.

The Bishop of Galloway was made a Privy Councillor November 5, 1565, and a Senator of the College of Justice. He died November 11, 1575.[1]

The House of Drummond, which ultimately acquired the Abbey of Inchaffray, and in respect of dignity obtained the first place in the Sheriffdom of Perth, first appears in these Charters in the person of Maurice, who witnessed the arrangement between Nevin Macnaughtan and his wife and the abbey in November 1365 (No. cxxxv.).

Maurice is then one of the principal knights of the earldom, and was created Steward, Forester, and Coroner of Strathern,[2] the lands of Drommane in Strathern being granted to him by Earl Robert in 1362.[3] The name was, however, taken, it is supposed, from Drymen in the earldom of Menteith, and the armorial bearings of the Drummonds are evidently derived from those of Menteith. There is also evidence of official connection with the earldom of Lennox. Maurice was brother to John de Drummond of Concraig, who made satisfaction for the slaughter of the brothers of Walter de Menteith, May 17, 1360[4] and in all probability Margaret Logie, Queen of

and her husband Sir John Drummond of Innerpeffry. This lease was redeemed for six hundred merks by the abbey, and a lease granted to Barbara Logy and her natural son John Gordon, January 13, 1558-9, out of a thousand merks provided by Barbara and her brother Robert Logy.

Sir John was son of John, third son of the Lord Drummond who bought Concraig and built Drummond Castle, and Lady Margaret Gordon was daughter of King James IV. by Margaret Drummond, sister of the elder John.[1] Lady Gordon had letters of legitimation (February 1558-9). They had no son, and the lands of Innerpeffry, by arrangement with James Chisholm of Cromlix, Sir John's son-in-law, reverted to Lord Drummond, and were granted to James, afterwards Lord Madertie, Commendator of Inchaffray, by his father, David, Lord Drummond. Lord David was confirmed as Steward of Strathern, and the heir of line. Gilbert, Earl of Ancaster, is still hereditary Steward and Chamberlain of the Lordship of Strathern.

Upon November 7, 1560, Bishop Alexander Gordon, granted the whole abbey in tak to David, Lord Drummond, Lilias Ruthven his wife, and James, their son. James was made commendator, the lands were erected into a temporal lordship, and he was created Lord Madertie, January 31, 1609. By his wife Jean, sister of Sir John Chisholm of Buttergask, he had issue two sons—(1) John, Lord Madertie, who married Margaret Leslie, daughter of Patrick, commendator of Lindores; (2) James, ancestor of the Viscounts Strathallan.

John, second Lord Madertie, had issue several sons, of whom the fifth, Lieut.-General William Drummond, succeeded his brother as fourth lord, and was created Viscount Strathallan. He had an only daughter, Margaret, married to Thomas Hay of Balhousie, father of the Earl of Kinnoull, who succeeded to Maderty on the death of the viscount's

[1] Dispensation granted by Pope Clement VII., 16 March 1529-30.

grandson. The possession of the charters printed in this volume by the Earl of Kinnoull is thus explained, and it is satisfactory to observe that these valuable documents have never been out of legal custody.

From a writ at Dupplin Castle we give the preamble (also quoted in the Royal Confirmation, see Appendix x.), for it illustrates the form of conveyancing then adopted:—

'We, Alexander, by the mercy of God Archbishop of Athens, postulate of Galloway, Commendator of the Abbey of Inchaffray and convent thereof, "chapterlie gadderit," for the utility and profit of us, our successors, and our said place of Inchaffray before sene and considered,[1] and mature deliberation had thereupon, for reparation and upbuilding of the same, and patrimony thereof, for uplifting of the tenths, mails, ferms, rents, presents, and other debts from our tenants and parishioners, of all and sundry our lands and kirks lying within the Sheriffdom of Perth and Stewartry of Stratherne, and within the barony of Maderdy and lordship of Cardny respective. From whence in those rebellious days through lack of justice and persecution of the spirituality and spuilzing of their lands and tenths the same could not be obtained. And unto that time that the Eternal of his providence [render ?] justice hereunto, and the same ministered to her afflicted . . . in diverse parts. It is thought ex-

. . . and involved. And for other causes moving us[1] and for payment of the yearly rents underwritten. . . . to have set in assedation, and by these presents sets, and for the yearly rents underspecified, in assedation lattis to the said noble and mighty lord, David, Lord Drummond, and Dame Lilias Ruthven, his spouse, the longer liver of them, and their assigns and subtenants one or more, all and whole the said abbey, monastery, place, and lordship of Inchaffray, with houses, yards, biggings, meadows, mosses . . . waters, fishing, perkis, pathways . . . lands, kirks, as well vicarages as parsonages, fewmails, ferms, rents, presents, and patrimony whatsumever, in general and in special belonging . . . as the same wer pertinently expressed.'

The rent was 900 merks Scots.

The pensions of the canons, not the whole but the proportion settled by law, granted pensions (*Anglice* corrodies):—

To Don. Patrick Murray, 40 pds.[2] and 40 mks.
„ Dom. John, the vicarage of Moonsvard, or 20 mks.
„ Harry Drummond, 20 mks.
„ Alex. Scot, 20 mks., and for the wadset lands £26, 13s. 4d.
„ William Murray, 3 chalders victual for a wadset.
„ the Poor, 2 chalders meal.

As at more length contained in their letters.

Inchaffray, November 7, 1560.

Signatures—

ALEX. COM[R]. ALEX. MURRAY. JOHN RAUFF.
THOMAS GARDEN PRIOR. WILLIAM RUTHVEN. WILLIAM MELROSE.
JAMES RONALDSON. ANDREW. PAUL CUNYNGHAM.
ROBERT CAR.

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[1] There was an arrangement about the same time to provide for Barbara Logie in an annuity from Strugeth.

[2] A grant of £40 from the vicarage of Strowan was made to Dene Patrick Murray for faithful service in the office of granitarie, signed by the commendator, the prior, and eleven others, at Inchaffray, Oct. 2, 1557.

Upon the narrative that the late 'Abbot' James had dilapidated the abbey unlawfully, King Charles, by Royal charter dated June 8, 1626, created Patrick Murray, his cupbearer, commendator *quoad spiritualitatem* to provide for the churches out of the teinds, with the advice of John, Archbishop of St. Andrews, Patrick, Bishop of Ross, and the bishops of the dioceses. After the death of Patrick, Magdalen Murray his relict, and Elizabeth his daughter, relict of Thomas Menzies of Tiggermark, retoured heir to her brother Patrick, who was retoured heir to his father, made claims to both spirituality and temporality, and granted a lease of the teinds of Inchealt to Duncan Campbell, Captain of Dunune, dated at Edinburgh, 23. 1662.

Since the above narrative was written, the author has seen some charters at Drummond Castle which establish beyond doubt that Maurice, ancestor of the Drummonds of Concraig, was made Coroner and Forester of Strathern by the High Steward, and thereafter hereditary Steward. These charters also show that, notwithstanding counter claims by the Murrays of Tullibardine, the Drummonds of Concraig and their assignees, the elder Drummonds of Cargill, always retained the office. The family historian (MS.) explains this by alleging descent from Henry, son of Muriella (see p. lxxvi). The proof of this we have not found, but the office has been hereditary

APPENDIX TO INTRODUCTION

THE following from Mr. Lindsay's notes on the later Inchaffray Deeds are given to illustrate the value of such documents for pedigree purposes, and to add a little to our knowledge of the last days of the Abbey:—

1. Lease by George Abbot of Inchaffray and convent in chapter to our well beloved friend Jone of Row and his assigns, *i.e.* all children gotten between said John and his spousit wife, and failing them to Sir Thomas Row, and Lucas of Row, brether germane to said John, the fruits of our church of Kylbryde, etc. etc. for nineteen years . . paying tene pundis at usual terms. Nativ. S. John Bapt. called Midsummer next fyve pundis and at ye fest of purification of our Lady callit Candlemas next thereafter, fyve pundis and so forth, the entry to be at beltane next after following the date of this present writing. John to pay all ordinary costs effeiring to the abbey for said church, both of the stall in the church of Dunblane, with visitations, procurations, synodals, etc. Non-payment of the duty to void the lease. Power to distrain for arrears. Sealed at our said Abbey 22 Feb. 1491[-92]. Et ego Georgius Abbas predictus infra scripta approbo manu propria. Et ego Henricus de Strathtern, et ego Johes Binsston [?], et ego Wills. Camera, et ego Johes Nonthank, ego Alex. Myr, ego Thos. Lyndesay, et ego Johannes Symson, et ego Patricius Mason, et ego Thomas Robartson, et ego Andreas Ednem, et ego Jacobus Balmannoch.—*Dupplin Charters*, No. 33.[1]

2. Lease by Alexander, Commendator of Inchaffray and convent, to Robert Row, son and heir to the late John Row in

[1] The clause relating to the 'ordinary costs' is repeated in all the subsequent leases; but that of 1557 stipulates that the stall-silver shall be paid to the commendator and convent and their chamberlains, and to no other.

Dumblane, and his assignees, viz. (Margaret his spouse, struck out), Sir Denis Row, John of Row, and failing them to Thomas Row and James Row, of the fruits (teinds, etc.) of Kilbride for nineteen years from date of the deed. Entry to be at feast of the Invention of the Holy Cross called Beltane next. Rent £10 at usual terms, viz. Candlemas, and Nativ. of S. J. Bapt. called Midsummer. Robert to be true to us and our place, and fulfil all points of his Bond made thereupon.

Seal of the chapter appended at Inchaffray 18 July 1521.

Witnessed by Sir Maurice Johnston, chaplain, Sir David Dow, Fynlaw Smyth, and William Pollok.

Signed by

Alex., Commendator of Inchaffray.

et ego Antonius Hog.
et ego Vilelmus kelt.
Archebaldus Jonstone.
Johannes Dridene.
Johs. Neyll.
ego Robertus Fowllar.
ego Johannes Maneris.
ego Johannes Gray.
ego Jacobus Gardnar.
ego Jacobus Rannauldson.
ego Johannes Fargow.

—*Dupplin Charters*, No. 34.

3. Lease by Gauine, Archbishop of Glasgow, Commendator of Inchaffray and convent, to Margaret Sinclair, relict of Robert Row of Callentoyes and Robert Row their son and apparent heir, whom failing, to Margaret's assignees, viz. Elizabeth Cheisholme her daughter, of the church of Kelbride for nineteen years, to enter at Feast of Beltane, 1545. Rent £10. Granted at Inchaffray, 14 Jan. 1544[-45]. The grantees to pay all expenses of the stall in Dumblane Cathedral, etc.

Signed by

4. Lease (rent £10) to Robert Row of Callentois of the same for nineteen years from Beltane 1554, signed by Alex., commendatarius, by the above Canons (John Maneris being styled prior), except John Neyll and Maurice Henderson, and also by Paul Cunyngham, William Melross, Alexander Wycht, William Ruthven, and Alexander Murray. Inchaffray, 12 April 1554.—*Dupplin Charters*, No. 34.

5. Lease to Robert Row in Dumblaine and Marion Edmonstone his spouse and one heir, for their lives, of the same at £7 rent, dated at the Abbey, 8 April 1557. Signed by Alex., commendatarius, Thomas Gardenar, prior, Alexander Murray, Paul Cwnyngham, William Melross, James Ronaldson, Robert Kar, Andrew Farmer, William Ruthven, and George Spens.—*Ibid.*

6. Feu Charter to John Murray and Mareote Loutfute his spouse 8th part of lands of Williamstoun by Alexander, Archbishop of Athens, postulate of Sodor or the Isles, Commendator of Inchaffray. At Ins. Miss., 7 May 1555.

Alex. Com^r.
John Manoris, prior.

George Spens.	Thomas Gardenar, Supprior	William Melross.
	James Gardnar.	
	James Rannaldson.	
	John Rauff.	
	Andrew Farmer.	
	Alex. Murray.	
	Alex. Wycht.	

—*Ibid.*, No. 51.

7. Feu Charter to David, Lord Drummond, Lilias, Lady Drummond, and James Drummond their second son, of a chalder of oatmeal yearly out of the barony of Innermachanie. At the Monastery, 4 June 1564.

Alex., Commendatarius.[1]	William Ruthven.
Thomas Gardenar, prior.	William Melross.
Robert Kar.	Andrew Farmer.
James Rannaldson.	John Rauff.

—*Ibid.*, No. 47.

8. Memorandum of monks' portions given out off the Abacy of

[1] The Commendator then Bishop of Galloway.

Incheffray in the yere of God 1579, be frances houme, chalmerlaine at that tyme :—

Den Alex. Murray his portion of	beir	v bolls
	meall	CC bolls
	Silver	CCC lb.
Den William Ruthven	beir	vi bolls
	meall	CC bolls
	Silver	CCi^{lb} viij^{s} iiij^{d}
Den Paules Cuninganne and George Spens their portions in Silver,		lxxx^{lb} viij^{s} iiij^{d}
Den Patrick Murray his portione in	bere	viij bolls.
	meall	CCviij bolls.
	Silver	i CC lib.
Maill of Silver meall		CCiij lib. iiij sh.
Maill of teind Silver		viii lib. C sh.
Such victual meall and bear that at ane hundreth mark the chalder extends in money to		v^{c} Cviij mks. C sh.
Sum		iij^{t} viij^{lb} Cvii^{s} 4^{d}
Summa totulis		vi^{t} C lib. CCiij sh.

Endorsed to my loving spouse my Ladie Madertie these.

—*Dupplin Charters*, No. 44.

9. Grant of teinds in lieu of portion to Dene Patrick Murray 3 Oct. 1558.

Signed by

Alex., Commendator.

Thomas Gardenar, prior. Pawll Cunyngham.

CHARTERS

CHARTERS OF INCHAFFRAY

I

[Carta Symonis episcopi.[1]]

c. 1190.

Symon dei gratia Episcopus de Stratherne vniversis sui episcopatus personis sacerdotibus† clericis et laicis Salutem et paternam benedictionem. Vniuersitatis vestre dilectio nouerit me concessisse et hac mea carta confirmasse huic Isaac et omnibus successoribus eius ecclesiam Sancti Johannis evangeliste de Incheffren cum omnibus pertinentijs nunc acquisitis vel imposterum[2] adquirendis. Preterea concedimus vt quisquis moriturus ibi sepulturam habere voluerit† dato jure propriæ[3] ecclesiæ liceat. Quod si quis contra hanc nostre paginam constitutionis se contentiose erexerit usque tercio correptus si non emendauerit excommunicationi subjaceat, Qui autem eam gratam habuerit, dei et nostram benedictionem habeat vigeat et valeat in spiritu[s] sancti gratia. Testibus Malgirhe canonico, Sythakh kelede, Ricardo Capellano comitis, Gillemure diacono.

II

De crofto de fowlis.[4]

c. 1195.

Gilbertus comes de stratheryn omnibus hominibus suis amicis clericis et laicis salutem Sciant tam presentes quam futuri me dedisse et concessisse et hac carta mea confirmasse deo et sancto Johanni apostolo de insula missarum et fratribus ibidem deo seruientibus tria jugera terre propinquiora Juxta

[1] From a copy on paper, apparently late sixteenth century, Dupplin Charter-chest, Bundle No. 157. Some passages which appear to be corrupt are obelised. [2] MS. *impertuum*. [3] MS. *propria*.

[4] From the Register (see *Liber Insule Missarum*, No. 18).

stagnum quod venit de predicta insula apud fowlis inperpetuam elemosinam libere et quiete sibi habenda ab omni penitus subieccione et ab omni seruili consuetudine et seculari seruicio Quare volo et precipio quatinus predictus sanctus et fratres in predicta insula deo ministrantes tria prenominata jugera adeo libere et quiete habeant et teneant sicut vlla elemosina in tota terra Scocie liberius et quiecius habetur et tenetur hii sunt testes Simon Episcopus Dunblanensis Matildis comitissa de stratheryn Gilbertus filius comitis Gilberti Gillenenam dapifer comitis Ricardus capellanus comitis Johannes clericus comitis ;

III

c. 1198. ## De Aberrotawin.[1]

Vniuersis sancte Matris ecclesie filiis. clericis et laicis. Gillebertus Comes de Strathern. Salutem. Sciant presentes et futuri me dedisse. et concessisse. et hac mea carta confirmasse. Deo et Ecclesie Sancti Iohannis apostoli et euangeliste de insula Missarum in fougles. et fratribus ibidem deo et sancto Iohanni seruientibus et seruituris. Ecclesiam sancti Cathani de Aberruadeuien diuine pietatis intuitu pro salute anime mee. et uxoris mee. et antecessorum meorum. cum omnibus decimis. et oblationibus. et omnimodis obuentionibus. cum terra per rectas diuisas suas quam pater meus ferthet. et Mater mea Ethen. dederunt eidem Ecclesie in dotem. et cum omnibus ad eam iuste pertinentibus. cum communi pastura. et omnibus aliis aisiamentis. in liberam. et puram. et perpetuam elemosinam. Quare uolo ut pre-

Johanne Archidiacono de Strathern. Malgirk de Mothel. Thoma decano. Malis fratre Comitis. Gillecrist filio Comitis. Gillenanem dapifero Comitis. Constantino Iudice. Gillecrist Gal. Dunecano filio Malisii. Maulde. Comitissa de Strathern. Abraham Capellano Comitis. Malmure Capellano Episcopi.

IV

De ecclesia de madirdin.[1]

c. 1199.

Gilebertus comes de Strathern : Omnibus amicis et hominibus suis salutem · Sciatis me dedisse et concessisse et hac mea Carta confirmasse deo et ecclesie sancti Iohannis ewangeliste in Inche affren et eidem ecclesie seruientibus et seruituris : ecclesiam de Madernin cum omnibus Iustis pertinentijs suis in puram et perpetuam elemosinam pro anime mee salute et vxoris mee et pro animabus antecessorum meorum et salute liberorum meorum. Tenendam ita libere quiete plenarie et honorifice : sicut aliqua ecclesia in toto regno scottorum[2] · ab aliquibus religiosis liberius quietius plenarius tenetur et honorificentius. Hijs Testibus. Malisio fratre meo · Mathilde comitissa · Willelmo et ferthed et Roberto filijs meis · Gillenem dapifero meo[3] et Malisio filio eius · Gileberto milite Abraham capellano · Briccio persona de cref · Constantino Iudice · Anechul theino meo ;

V

De canis comitis.[4]

c. 1199.

Gilebertus comes de Strathern : Omnibus amicis et hominibus suis presentibus et futuris : Salutem · Sciatis me dedisse et concessisse et hac mea Carta confirmasse · Deo et ecclesie Sancti Iohannis ewangeliste in Inche afren et eiusdem ecclesie Seruitoribus : decimam canorum meorum In frumento · farina · brasio et caseo · et alijs rebus quas pro Cano accipio : que ad

[1] From the original, Dupplin, No. 131 (=*Lib. Ins. Mis.* No. 68). Large seal in green wax, edges chipped away.

[2] Reg. *scotie.* [3] Reg. *nostro.*

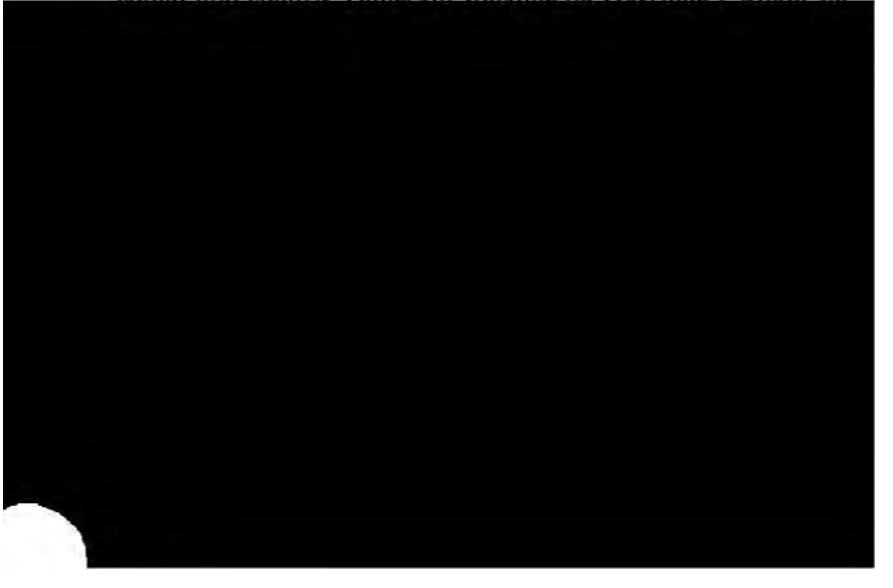
[4] From the original, Dupplin, No. 13. Large seal in green wax, nearly perfect.

cibaria pertinent: et decimam omnium piscium qui in curia mea expenduntur: tenendam sibi a me et heredibus meis in puram et perpetuam elemosinam · plenarie et Integre pro salute anime mee et vxoris mee · et antecessorum meorum et liberorum meorum. his Testibus Malisio fratre meo · Willelmo filio meo · fertheth filio meo · Roberto persona de fovles Briccio persona de cref · Gillecristo gall · Constantino Iudice · Dunecano filio Malis · Henrico Rennario Malis dapifero · constantino Pincerna · Abraham capellano meo · Roberto dispensario.

VI

1199-1200. ## De ecclesia de aberrotheuen.[1]

·W. dei gracia Rex Scottorum · Omnibus probis Hominibus tocius terre sue Clericis et laicis Salutem · Sciant presentes et futuri me concessisse et Hac Carta mea confirmasse deo et ecclesie sancti Iohannis apostoli et ewangeliste de Inche affrenne in fovles · et fratribus ibidem deo seruientibus Ecclesiam Sancti Cathani de Aberrotheven in Stardherne · quam Comes Gilebertus eidem loco dedit. Tenendam in liberam puram et perpetuam elemosynam · cum omnibus libertatibus ad eandem ecclesiam iuste pertinentibus · adeo libere et quiete · plenarie et honorifice · sicut Carta predicti Comitis Gileberti testatur · Testibus · Rccardo [*sic*] de prebenda clerico meo · Comite Dunecano Iusticiario · Henrico Comite atholie · Roberto de londoniis · Malisio filio ferthet · Mal-



salutem Sciant omnes presentes et futuri nos dedisse concessisse et hac carta nostra confirmasse deo et ecclesie sancti Johannis de Inche affran et fratribus ibidem deo seruientibus et seruituris terram nostram in Madernin que terra uocatur Abthen per suas rectas diuisas cum omnibus justis[1] pertinenciis suis ad peticionem comitis G · de Strathern et fratris ejus M · in redempcione[2] anime nostre et antecessorum nostrorum et predicti comitis G · et suorum Tenendam predictis fratribus et eorum successoribus in liberam et perpetuam elemosinam reddendo nobis et successoribus nostris annuatim unam marcam argenti scilicet dimidium ad pentecosten et dimidium ad festum sancti Martini Volumus Itaque et precipimus ut idem[3] fratres predicti et eorum successores[4] predictam terram teneant et possideant de nobis et successoribus nostris ita libere quiete plenarie et honorifice ab omni exaccione et consuetudine et servicio seculari ad nos pertinente in bosco et plano in pratis et pascuis in aquis et molendinis et in omnibus alijs aisiamentis ad eandem terram pertinentibus sicut aliqua terra in episcopatu nostro liberius plenius et honorificencius tenetur et possidetur salua duntaxat predicta pencione Testibus his · Johanne Archidiacono de Strathern[5] G Comite de Strathern et fratre ejus M · Reginaldo et fratre ejus Stephano Capellanis nostris Roberto et Petro capellanis de Tubermore[6] Bernardo et Ricardo Capellanis de Kergill[7] Magistro · H · et W · de lockestre[8] clericis nostris Waltero[9] pincerna Roberto et simone nepotibus nostris Petro de camera Roberto ferrone Galfrido ostiario Radulfo geruny[10] hamone coco Josep et alijs multis.

VIII

[Protectio et Confirmatio Innocentii III. Pape.[11]] 1200.

INNOCENTIUS episcopus seruus seruorum dei · Dilectis filiis · J · heremite et fratribus sancti Johannis de Stradhern:

[1] MS. *certis.* [2] MS. *redemptionem.* [3] Reg. *eidem.*
[4] MS. *successorum.* [5] MS. *Stradhern.* [6] Reg. *Tybirmore.*
[7] Reg. *Cargil.* [8] MS. *Lockest.* [9] Reg. *Valant.* [10] MS. *Bervny.*
[11] From the original, Dupplin Bull, No. 1. The Bulla remains attached by a cord of red and yellow silk. Indorsed 'J. heremite.' See facsimile.

salutem et apostolicam benedictionem. Cum a nobis petitur quod iustum est et honestum tam uigor equitatis quam ordo exigit rationis · ut id per sollicitudinem officij nostrj ad debitum perducatur effectum · Eapropter dilectj in domino filij uestris iustis precibus inclinatj · personas uestras cum omnibus bonis tam ecclesiasticis quam mundanis que impresentiarum rationabiliter possidetis aut in futurum iustis modis prestante domino poteritis adipisci sub beatj petrj et nostra protectione suscipimus · Specialiter autem possessiones quas · G · Comes de Straden domuj uestre in helemosinam assignauit sicut eas iuste et pacifice possidetis auctoritate uobis apostolica confirmamus et presentis scriptj patrocinio communimus · Nulli ergo omnino hominum liceat hanc paginam nostre protectionis et confirmationis infringere uel ej ausu temerario contraire · Siquis autem hoc attemptare presumpserit indignationem omnipotentis dej et beatorum Petrj et Pauli apostolorum eius se nouerit incursurum · Datum Laterani ij Nonas Decembris Pontificatus nostrj Anno Tertio.

IX

1200. ## [Magna carta Gilberti comitis super fundatione Monasterii.[1]]

✠ In nomine domini nostri ihesu cristi qui coequalis et coeternus est deo patri et spiritui sancto: Ego Gilbertus filius ferthead. dei indulgentia Comes de Stradern: et Ego Matildis filia Willelmi de aubengni comitissa: inspirante gratia diuina. volentes in feodo nostro et patrimonio ecclesiam dei exaltare · et ad dei cultum sancte religionis ibidem plan-

beate MARIE genitrici eius. Sanctoque Iohanni Apostolo liberam · solutam · et quietam ab omni exactione seruitio · consuetudine et subiectione seculari · ea voluntate et intentione · qua aliquis locus in toto regno scottorum liberius solutius quietius et honorificentius diuino cultui et sancte religioni deputatur · Eamque cum omnibus possessionibus quas hactenus ei per nos siue per alios fideles diuina largitas contulit uel amodo collatura est · Custodie et dispensationi Domni Malisij presbiteri et heremite committimus. de ipsius discretione et religione plurimum confidentes. Unde uolumus. ut idem Malisius libera utatur facultate quoscumque uoluerit secum aggregandi · et eos secundum regulam sancti augustini · eo quem potius statuerit modo ad dei seruitium informandi · Post decessum uero illius ex parte dei prohibemus · ne aliquis omnino per cupiditatem congregationi illius loci se preponat[1] · nisi quem fratrum concors electio per assensum nostrum sibi preposuerit. Nec aliquis siue episcopus sit siue heres noster presumat inibi aliquem contra meram fratrum uoluntatem intrudere · Locum enim eundem ita dilectum habemus quod in eo nobis et successoribus nostris sepulturam elegimus · et iam primogenitum nostrum ibidem sepeliuimus · Deo igitur et sancte MARIE perpetue[2] uirgini et sancto Iohanni apostolo eiusdem procuratori · et prefato Malisio · et omnibus in predicta Insula deo seruientibus et seruituris Ecclesias et possessiones subscriptas Damus ·[3] Concedimus · et presentis scripti munimine · per impressionem sigilli nostri confirmamus · Ecclesiam Sancti kattani de Aberruotheuen · Ecclesiam Sancti Ethernani de Madernin · Ecclesiam Sancti Patricii de Struf-keath · Ecclesiam Sancti Mechesseoc de Eohterardeuar. Ecclesiam sancti Beani de kinkelle · Decimam omnium Canorum nostrorum et Reddituum nostrorum In frumento. farina. brasio. grano. Caseis. et omnibus cibariis que annuatim expenduntur in curia nostra · et decimam totius piscis qui ad Coquinam nostram defertur · et decimam uenationis nostre · et decimam omnium lucrorum que proueniunt de placitis nostris et ceteris obuentionibus omnimodis · Licentiam quoque piscandi in Pefferin ubicumque uoluerint · et capiendi in nemoribus

[1] Reg. *preponat.* [2] Reg. *semper.* [3] Reg. inserts *et.*

nostris ubi[1] sibi magis oportunum fuerit: materiem a- edificationem domorum suarum et utensilium · et ad pastun ignis. Et tres acras terre illius que proxima est insule uersu aquilonem · quas dedimus ad dedicationem capelle ipsius Hec igitur omnia · cum omnibus ad ea pertinentibus: uolumu ut prefatus Malisius et uniuersi cum eo uel post eum in prefat insula deo seruientes et seruituri: in pace dei · et domin Regis et nostra teneant et possideant de nobis e heredibus nostris in puram et perpetuam elemosinam. pr salute nostra et liberorum nostrorum et omnium amicorun nostrorum. et pro animabus omnium antecessorum nostrorun et precipue pro anima Gillecrist primogeniti nostri ibiden quiescentis · ita libere. quiete · plenarie et honorifice: sicu aliqua domus religionis in toto Regno scottorum · suas posse siones · liberius. quietius · plenarius. et honorificentius tene et possidet. Omnibus uero nostris ex parte dei et nostr firmiter prohibemus: ne quisquam eorum eidem loco uel eiu ministris siue etiam pro pace querenda ad eum confugientibu aliquid molestie uel iniurie inferat · super nostram plenariar forisfacturam. Quicumque uero amicorum uel fidelium homi num nostrorum eidem loco aliqua de suis facultatibus caritatiu contulerit: conferat ei dominus bona in terra uiuentium. fact est hec confirmatio anno ab incarnatione domini · M° · cc° Indictione iij. Anno Regni Regis Willelmi. xxxv°. Ab obit prenominati filij nostri Gillecrist anno secundo; Obijt autei · iij°. nonas octobris; Huius autem donationis et confirmation sunt testes: hij · Rogerius episcopus sancti andree · Iohanne

X

Jonathe episcopi de decimis comitis.[1] *c.* 1200.

Jonathas dei gratia episcopus de Stradern · vniuersis Sancte Matris Ecclesie filijs · tam presentibus quam futuris · salutem omnimodam ⁊ Incolumitatem continuam ⁊ benedictionem perpetuam; Episcopalis officij esse dinoscitur. ad pietatis opera. fidelium mentes informare · Informatas approbare ⁊ approbatas ⁊ solidissime confirmare ⁊ ne in summi pastoris presentia ex remisse operationis desidia quod absit arguamur · sed ex bone actionis merito confidentes · eam uocem gratulationis expectemus. quam dominus in ewangelio protulit dicens. Euge serue bone et fidelis · quia super pauca fuisti fidelis ⁊ supra multa te constituam. Huius igitur saluberrime promissionis memores · deuotionem carissimi filij nostri Gilberti comitis de Stradern et Matildis eiusdem comitisse quam in eorum mentibus diuina infudit gratia de fundando in Insula missarum ⁊ religiosorum cenobio carius amplectentes ⁊ ad eorum pia opera tota mentis alacritate congaudemus · et ut pie inchoata plenius exequantur ⁊ hortamur. et ut sue saluti sedulo affectu insistant ⁊ pro nostre amministrationis officio diligenter instigamus; Preterea · possessiones · beneficia · inmunitates · quecumque bona siue in ecclesijs siue in decimis uel in predijs aut in obuentionibus per ipsos siue per alios fideles diuina largitas eidem loco et suis habitatoribus in dei seruitio commorantibus · in presentiarum iuste contulit · uel in futurum collatura est ⁊ confirmamus · et presentis scripti testimonio communimus · Statuentes in primis ut idem locus qui uocatur lingua scottica Inche affren ad exercitium sancte religionis in perpetuum deputetur ⁊ que secundum sancti augustini regulam inuiolabiliter obseruetur · Sit que locus omnibus ad eum confugien-

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[1] From the original, Dupplin, No. 130. Seal lost; tag remains. See facsimile. On the back is the following memorandum :—

'Item ex dono eiusdem Gileberti Comitis ecclesiam de Madernin cum pertinentiis suis. Et molendinum super pefrin in Balemacgillon. Ex dono Orable Matris Seer de Quinci. viii. acras terre in territorio de Gasg.' See the Bull of Innocent III., No. 21, *infra*.

tibus ⁊ pacis et quietis · ita ut nulli liceat eum intrare causa perturbandi · uel inquietandi · nisi sola causa orandi uel salutem corporis aut anime expetendi. Possessiones autem in nostra diocesi prefato loco assignatas ⁊ proprijs hic duximus annotare nominibus. Ecclesiam sancti kattani de Aberruotheuen · Ecclesiam sancti Patricii de Strufkead · Ecclesiam Sancti Mechessoch de Eohterardeuar · Ecclesiam Sancti Beani de kinkelle · Decimam omnium Canorum et Reddituum prefati comitis In frumento · farina · brasio · grano · caseis et omnibus cibarijs que annuatim expenduntur in curia sua · et decimam tocius piscis qui ad coquimam suam defertur. et decimam uenationis sue et decimam omnium lucrorum que proueniunt de placitis suis et ceteris obuentionibus omnimodis · sicut carta comitis exinde facta testatur. Adicimus uero ut sepultura predicti loci libera sit · ut eorum uoluntati qui se ibi sepeliri uoluerint ⁊ nullus obsistat · Salua rectitudine ecclesiarum de quibus corpora mortuorum assumuntur · nec aliquis regimini ipsius preponatur loci ⁊ nisi qui communi consensu fratrum et per assensum comitis et heredum suorum ⁊ electus fuerit · Prohibemus insuper ut nullus omnino presumat possessiones uel beneficia prefato loco et suis inhabitatoribus assignata ⁊ diminuere · auferre · vel retinere. Salua in omnibus canonica nostri et successorum nostrorum iusticia · Siquis autem instinctu diabolico scienter contra hanc nostre institutionis paginam uenerit ⁊ tercio commonitus · si non congrue satisfecerit ⁊ reum se diuino examini cognoscat · et alienus a communione fidelium fiat · Et omnibus eidem loco sua iura seruan-

XI

Carta Gilberti comitis de terris canonicorum.[1] *c.* 1200.

Gillebertus Comes de Stratheren. Omnibus Amicis et Hominibus suis. clericis et laicis: Salutem. Sciant presentes et futuri. me Pietatis intuitu. et pro salute anime mee. et Matilde Comitisse de Stratheren. uxoris mee.[2] et Patris mei. et Matris mee. et Heredum meorum. dedisse. et Concessisse. et Hac Carta mea confirmasse. Deo et Ecclesie sancti Iohannis apostoli et Euuangeliste de Inche affren. et Canonicis ibidem deo seruientibus et seruituris totam terram de Arde eweni per rectas diuisas suas. et cum omnibus Iustis pertinentiis suis. Et totam terram de Achadlongsih.[3] per rectas Diuisas suas. et cum omnibus Iustis pertinentiis suis. Et totam terram de Dufinder. per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. Et totam terram illam de Madernin. que antiquitus Abbacia uocabatur. per Rectas Diuisas suas. et cum omnibus iustis pertinentiis suis. Tenendas in liberam et puram. et perpetuam elemosinam. in bosco. et Plano. in terris et aquis. in pratis et pascuis. in Moris et Marresiis. in Peteriis et viuariis. In Stagnis et Molendinis. et omnibus aliis Iustis pertinentiis suis. et cum omnibus aliis aisiamentis: ad predictas terras iuste pertinentibus. libere. et Quiete. Plenarie et Honorifice. ab omni auxilio et seruicio. consuetudine. et seculari exactione. Quare uolo ut predicti Canonici[4] predictas terras per rectas diuisas suas et cum omnibus iustis pertinentiis suis. Ita libere et Quiete. Plenarie et Honorifice in liberam et Quietam. et Puram et Perpetuam Elemosinam. Habeant et Possideant. sicut aliqua elemosina in regno scotie. de aliquo Comite. liberius et Quietius. Plenius et Honorificentius. tenetur et Possidetur. Hiis Testibus. Ionatha Episcopo dunblanensi. · M · Comitissa de Stratherr. Malisio fratre Comitis. ferthet

[1] From the original, Dupplin, No. 10 (= *Lib. Ins. Mis.*, No. 13). Indorsed 'de terris nostris,' having no doubt been the top charter of a bundle. The above title is taken from the Register. Large seal in green wax, attached by silken cords, entire.

[2] Reg. omits *mee.*

[3] Reg. *Achlonxi.*

[4] Some words here erased in the original.

filio Comitis. Matilda filia Comitis. Iohanne Archidiacono. Abraham Capellano Comitis. Gillenanof dapifero Comitis. Malis filio suo. Gilleberto socio. Comitis. Constantino Iudice. Gillebrech. Anecol de Dunin. Dunecano filio Malihs.

XII

c. 1200. ## Carta secunda de Ardeuny · Achlonx · Duffindre.[1]

Gilbertus comes de stratherenn omnibus amicis et hominibus suis clericis et laicis Salutem. Sciant presentes et futuri me pietatis intuitu. et pro salute anime mee. et Matilde comitisse de stratheren. uxoris mee. et patris mei. et Matris mee. et heredum meorum dedisse. et concessise. et hac carta mea confirmasse. Deo et ecclesie sancti iohannis apostoli et euuangeliste. de inse affrenn. et canonicis ibidem deo seruientibus. et seruituris. totam terram de Arddeugani per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. et totam terram de Achadlongseg.[2] per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. et totam terram de Dubinder. per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. et totam terram illam de Madranin[3] que antiquitus Abbacia uocabatur. per rectas diuisas suas. et cum omnibus iustis pertinentiis suis. tenendas in liberam. et puram. et perpetuam. elemosinam. in bosco et plano. in terris et aquis. in pratis et pascuis. in moris et marresiis. in peteriis et uiuariis. in stagnis et molendinis. et omnibus aliis iustis pertinentiis suis. et cum omnibus aliis asiamentis ad predictas terras iuste pertinentibus. libere et quiete. plenarie et honorifice. ab omni auxilio. et seruitio. et consuetudine. et

[redacted]

blanensi. M. Comitissa de stratherent. Malisio fratre comitis. ferthed filio comitis. Matilda filia comitis. Iohanne archidiacono. Abraham capellano comitis. Gillenanemh dapifero comitis. Malisio filio suo. Gilleberto sotio comitis. Constantino iudice. Gillebrec. Anachol de dunene. Duncano filio Maliso.[1]

XIII

De ecclesia de Aberrotheuin.[2] *c.* 1200.

Gillebertus comes de strathern omnibus hoc scriptum uisuris uel audituris Salutem · Sciant tam presentes quam futuri me dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et beato Iohanni Apostolo de Incheaffren · et Canonicis eiusdem loci eorumque successoribus pro dei amore et salute anime mee et uxoris mee. et antecessorum et heredum meorum eclesiam sancti kathani de aberrotheuin cum omnibus iustis pertinentiis suis. In decimis et oblationibus et obventionibus omnimodis cum terra per rectas diuisas suas quam pater meus fferthet et mater mea · Ethen · dederunt eidem eclesie in dotem · et cum communi pastura ceterisque aisiamentis ad eandem eclesiam pertinentibus in puram et perpetuam elemosinam ad habendum et tenendum et possidendum de me et heredibus meis in perpetuum · ita libere et quiete plenarie · et honorifice · sicut aliqua eclesia in toto regno scocie · liberius · quietius. plenarius · et honorificentius · habetur · tenetur · et possidetur · Hiis. testibus. Ionatha episcopo Dunblanensi · Iohanne archidiacono de stratheren · Malgirk de Mothel · Thoma decano · Malisio ffratre meo · Maltilde comitissa uxore mea · Abraham capellano · Constantino Iudice · Gillecrist Gal · et multis aliis.

XIV

Alia carta de eadem ecclesia [de Maddirnyn].[3] *c.* 1200.

Gilbertus comes de stratheryn omnibus hoc scriptum visuris vel audituris salutem Sciant tam presentes quam futuri me

[1] Reg. *Malisij.*

[2] From the original, Dupplin, No. 2. Large seal in green wax, with small counter-seal, entire.

[3] Reg. (see *Lib. Ins. Mis.* No. 69).

dedisse et concessisse et hac carta mea confirmasse de sancte Marie et sancto Johanni apostolo de Inchaffray canonicis eiusdem loci eorum que successoribus pro dei an et pro salute anime mee et vxoris mee et an[te]cessorun heredum meorum ecclesiam sancti Ethirnani de Maddi cum omnibus justis pertinencijs suis in decimis et oblacion et obuencionibus omnimodis cum terra ad eandem eccle pertinente et cum communi pastura ceterisque aysiame omnimodis ad predictam ecclesiam pertinentibus in puran perpetuam elemosinam ad habendum tenendum et possi dum de me et heredibus meis inperpetuum Ita libere qu plenarie et honorifice sicut aliqui religiosi in toto rigno s aliquam ecclesiam liberius quiecius plenarius et honorificen habent tenent et possident Hijs testibus Malisio fratre Matilde comitissa Willelmo fferteth Roberto filijs Gillenem Dapifero meo et Malisio filio eius Gilberto M Abbraam capellano Bricio persona de Crefe Constan judice Anecholle theino meo et Multis alijs;

XV

c. 1200. ## De ecclesia de kynkelle.[1]

Gillebertus comes de strathern omnibus hoc scrip uisuris uel audituris salutem · Sciant tam presentes q futuri me dedisse et concessisse et hac carta mea confirm deo et sancte Marie et sancto Iohanni apostolo de Incheaffi

quiete · plenarie · et honorifice · sicut aliqui religiosi in toto regno scotie aliquam ecclesiam liberius · quietius · plenarius · et honorificentius · habent · tenent · et possident. Hiis testibus. Malisio ffratre meo · Abraham capellano meo · Malcolmo clerico · Willelmo · fferthet · Roberto filiis meis · G · senescallo meo · Malisio filio eius · Constantino Iudice · Anecollo theino de Dunin · Duncano theino de struvin. et multis aliis.

XVI

De decimis comitis.[1]

1200.

· Gillebertus comes de strathern omnibus hoc scriptum uisuris uel audituris salutem. Sciant tam presentes quam ffuturi me dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et beato Iohanni apostolo et ewangeliste de Incheaffren · et canonicis ibidem deo seruientibus et seruituris de me et heredibus meis in puram et perpetuam elemosinam decimam omnium canorum nostrorum in ffrumento · ffarina · Brasio · Grano · Caseis · carnibus · animalibus · et tocius uenationis nostre · et volucrum. et Piscium et omnium que nobis in cibariis et potibus euenerint · victum eciam ministro suo quemcumque ipsi posuerint in curiam nostram ad exigendum et percipiendum ex parte eorum predictas decimas nostras · plenarie et honorifice · sicut uni seruientium nostrorum. Licentiam quoque piscandi in peferin et in aliis aquis nostris ubi et quando uoluerint · et Materiem ad edifficationem domorum suarum · et pasnagium et cortices · et ligna ad pastum ignis in nemoribus nostris capienda ubi sibi uisum fuerit oportunius · et quantum eis fuerit necessarium. Hec igitur omnia uolo ut predicti canonici eorumque successores · habeant · teneant · et possideant de me et heredibus meis in puram et perpetuam elemosinam · ita libere · quiete · plenarie · et honorifice · sicut aliqui religiosi in toto regno scocie aliquam elemosinam · liberius · quiecius · plenarius · et honorificencius habent · tenent. et possident. ffacta est hec donacio anno ab incarnacione

[1] From the original, Dupplin, No. 6. Large seal, in green wax, chipped at the edges. Small counter-seal.

domini · m° · cc°. Hiis testibus · Iohanne episcopo dunkeldensi · Ionatha episcopo Dunblanensi · Rainbaldo abbate de scona · Malisio fratre meo · Willelmo · fferthet filiis meis · Gilleneff Senescallo · Constantino Iudice · Anecol theino meo de dunin. et multis aliis.

XVII

1200. Libertas piscandi et aucupandi per omnes terras aquas et lacus Item de decimis secundis et libertas amputandi per omnia nemora vbi quando et quantum voluerint ad omnes vsus Item de terris non dandis nisi saluis juribus et rectitudinibus istius monasterii.[1]

Gilbertus comes de Stratheryn omnibus sancte Matris ecclesie filiis hoc scriptum visuris vel audituris salutem Nouerit vniversitas vestra me dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et beato Johanni apostolo et canonicis de Inchaffryn in puram et perpetuam elemosinam de me et heredibus meis decimam omnium firmarum nostrarum et canorum nostrorum in frumento farina brasio grano casiis carnibus animalibus et decimam tocius venacionis nostre et omnium que nobis in volucribus aut pissibus aut alicu[i]usmodi cibo vel potu prouenerint victum eciam seruienti suo quemcunque ipsi posuerint in curias nostras ad exigendum[2] et percipiendum ex parte eorum pre-

honorificentius tenetur et possidetur Preterea concessi eisdem canonicis et hac carta mea confirmando confirmaui quatinus nec ego nec aliquis heredum meorum de cetero conferemus aliquo modo vel ad firmam committemus terram aliquam vel possessionem alicui nisi saluis eis de eadem terra vel possessione omnibus rectitudinibus que eis dum nostro erant dominio exinde debebantur vel dum nos exinde aliquid contingebat Quare si quis aliquam contra eos cartam monstrauerit ne Jus suum vendicare vel exigere debeant eam quantum ad hoc testificor esse cassandam facta est donacio anno gracie Millesimo cc^mo hiis testibus Johanne Episcopo dunkeldensi Jonatha Episcopo dunblanensi Rainbaldo Abbate de scona comitissa Matilda de Aubegny vxori mea Milisio fratre meo Willelmo et ffierteth filiis meis domino · W · canonico de scona Gillines Senescallo meo Constantino Judice Anechol thaino meo de Dunyn et multis aliis.

XVIII

De madredin. de ecclesia.[1]

c. 1201.

.W[2] dei gratia Rex Scottorum · Omnibus probis Hominibus totjus terre sue clericis et laicis ꝛ salutem. Sciant presentes et futurj me concessisse · et hac carta mea confirmasse deo et ecclesie sancti Iohannis ewangeliste · de Inche afren · et uiris religiosis ibj deo seruientibus et seruituris donationem illam quam Gillebertus Comes de stradheren eis rationabiliter fecit de ecclesia de Madernin · cum omnibus iustis pertinentijs · et de ecclesia sanctj Beanj de kinkelle cum omnibus iustis pertinentijs suis · et de ecclesia sancti Mahessoch de vchterardouere · cum omnibus iustis pertinentijs suis · Tenendis in liberam et puram et perpetuam elemosinam cum Omnibus ad predictas ecclesias iuste pertinentibus ita libere et quiete · plenarie · et honorifice sicut carta predicti Comitis Gilleberti iuste testatur · Testibus · Ricardo de prebenda clerico meo · Willelmo Capellano meo · alano filio Rollandi constabulario · Malcolmo filio Comitis Dunecani · Malisio filio

[1] From the original Dupplin, No. 112 (= *Lib. Ins. Mis.* No. 72). Great seal in green wax, of which the greater part remains. [2] Reg. *Willelmus.*

Comitis Fertethe Willelmo Giffard[1] · Roberto Croche[2] alexandro vicecomite de striueljn · Radulpho de Camera · Heruico[4] de kinros · Ricardo filio Hugonis · Philippo Mare callo · Willelmo de Morauia · alexandro filio thore · apu striuelin xiij · die augustj.

XIX

1201-03. ## De molendino super pefrin.[5]

Gilbertus comes de stratheryn omnibus amicis et hominib suis salutem Sciatis me dedisse et concessisse et hac carta m confirmasse deo et sancto Johanni euangeliste de Inchaffrin canonicis ibidem deo seruientibus et seruituris locum Mole dini[6] super peffrin in terra de Balmakgillona cum tofto stagno et aliis aysiamentis que pertinent ad molendinum si et successoribus suis de me et heredibus meis in puram et pe petuam elemosinam plenarie et honorifice et integre sal secta hominum meorum qui ad molendina mea venire debe hijs testibus ferteth et Roberto filijs meis Gillenefe Malisio filio eius senescallo meo constantino judice Anech Thenno de Dunin Duncano thenno de struin Gillecrist Gall

XX

1201-02. ## De abthein de Maderdin.[7]

·W.[8] dei gratia Rex Scottorum · Omnibus probis Hominib

de archadlongsih · per rectas diuisas suas · et cum omnibus iustis pertinentijs suis · et de tota terra de Dufhinder · per rectas diuisas suas et cum omnibus iustis pertinentijs suis · et de terra illa[1] de Madernin[2] que antiquitus abbethen uocabatur per rectas diuisas suas · et cum omnibus iustis pertinentijs suis · Tenendis in liberam et[3] puram · et perpetuam elemosinam · per rectas diuisas predictarum terrarum · et cum omnibus ad predictas terras iuste pertinentibus · ita libere · et Quiete · plenarie · et honorifice : sicut carta predicti Comitis Gilleberti iuste testatur · ita tamen quod predictus Comes et heredes suj facient michi et heredibus meis de residuo de Madernin totum seruicium · quod michi debetur de toto feudo de Madernin · Testibus · Willelmo Episcopo Glasguensi Cancellario meo · Philippo de valoniis Camerario meo · Willelmo Cumjn · Willelmo Giffard · Thoma de Coleuille · alexandro vicecomite de striuelin · Radulpho[4] de Camera · Herberto de Camera · dauid de Haia · Philippo de lundin · Thoma Hostiario · apud striuelin · quinto die aprilis.

XXI

[Magna Protectio et Confirmatio Innocentii III. Pape.[5]] 1203.

INNOCENTIUS episcopus seruus seruorum dej · Dilectis filiis · · Priorj et Canonicis Monasterij sanctj Iohannis Apostoli et Euangeliste de Inche Affrem · salutem et apostolicam benedictionem. Solet annuere sedes apostolica piis uotis et honestis petentium precibus fauorem beniuolum impertiri. Eapropter dilecti in domino filij uestris iustis postulationibus clementer annuimus et Monasterium sancti Iohannis Apostoli et Euangeliste de Inche Affrem in quo diuino mancipatj estis obsequio sub beatj petri et nostra protectione suscipimus et presentis scripti patrocinio communimus · Preterea quascumque possessiones quecumque bona idem

[1] Reg. *illa terra.* [2] Reg. *Maddirdyn* (*Maddirnyn* below).
[3] Reg. omits *et.* [4] Reg. *Ricardo.*
[5] From the original, Dupplin, Bull No. 2. The Bulla remains attached by a cord of red and yellow silk.

Monasterium impresentiarum iuste et canonice possidet aut in futurum concessione pontificum · largitione Regum uel principum oblatione fidelium seu aliis iustis modis prestante domino poterit adipisci · firma uobis uestrisque successoribus et illibata permaneant · In quibus hec propriis duximus exprimenda uocabulis · locum ipsum in quo prefatum Monasterium situm est cum omnibus pertinentiis suis Ecclesias sancti katani · de Aberuotheuen · sancti Ethernani de Madernin · sancti Patricii de Strufgeath · sancti Mekesseoc · de Efferdardeuar · de Donine · et sancti Beani de kinkel cum omnibus pertinentiis earum · Ex dono dilectj filij nobilis uirj Gilebertj Comitis de Stradhern · ius patronatus predictarum ecclesiarum · Molendinum super pefrin in Balemacgillon · decimam omnium canorum suorum et reddituum in frumento · farina · brasio · grano · Caseis · Carnibus et omnibus cibariis que annuatim expenduntur in curia sua et omnium piscium quj ad coquinam deferuntur ipsius. Decimam etiam uenationis sue et omnium lucrorum que de placitis suis et rebus aliis prouenire noscuntur. Licentiam quoque piscandi in peferin ubicumque uolueritis · Ex dono eiusdem in nemoribus suis ubi uobis magis fuerit oportunum · Materiam · pasnagium · Cortices et ligna ad ignem necessaria · Tres Acras terre que proxima est Insule uersus aquilonem quas ad edificationem ecclesie uestre concessit · Totam terram de Ardeuganj · totam terram de Achatlongsi · totam terram de Duuinder · et totam terram de Madernine que Abthein antiquitus uocabatur cum omnibus

litterarum uestrarum cautione nullus audeat retinere · Cum autem generale interdictum terre fuerit liceat uobis clausis januis exclusis excommunicatis et interdictis non pulsatis campanis suppressa uoce officia celebrare diuina · Ad hec auctoritate presentium inhibemus. ut nulli liceat in uos uel ecclesiam uestram sine manifesta et rationabili causa excommunicationis uel interdictj sententiam promulgare· Ad indicium autem huius a sede apostolica protectionis obtente · bizantium unum gratis oblatum nobis nostrisque successoribus annis singulis persoluetis · Decernimus ergo ut nulli omnino hominum liceat hanc paginam nostre protectionis confirmationis et inhibitionis infringere uel ei ausu temerario contraire · Siquis autem hoc attemptare presumpserit indignationem omnipotentis dej et beatorum petri et Pauli apostolorum eius se nouerit incursurum · Datum ferentini ij kalendas Julij · Pontificatus nostri Anno sexto.

XXII

De dunin · confirmacio · regis Willelmi.[1] 1203-04.

· W · dei gratia Rex Scottorum · Omnibus probis Hominibus totius terre sue clericis et laicis salutem · Sciant presentes · et futuri me concessisse · et hac carta mea confirmasse deo et ecclesie sancti Johannis ewangeliste · de incheaffren · et Canonicis ibidem Deo seruientibus et seruituris donationem illam quam Comes Gillebertus eis fecit de ecclesia de Dunine · cum omnibus iustis pertinentijs suis · et de ecclesia sancti Seruani de Monewarde · cum omnibus iustis pertinentijs suis · Tenendis in liberam et puram et perpetuam elemosinam ita libere · et quiete · plenarie · et honorifice sicut Carte predicti Comitis Gilleberti inde facte iuste testantur. Testibus · Waltero Capellano meo · Willelmo Cumin · Willelmo de boscho et Hugone clericis meis · adam Hastenge apud Hadingtun · xxiiij · die aprilis.

[1] From the original, Dupplin, No. 129. The last three words of the indorsement are in a later hand. A fragment of the Great Seal in green wax remains.

XXIII

1203-10. ## Confirmacio Ricardi episcopi de abthen de madirnyn.[1]

Ricardus dei gracia Dunkeldensis episcopus vniuersis sanc
Matris ecclesie filijs salutem sciant presentes et futuri n
concessisse et hac carta nostra confirmasse deo et ecclesie sanc
Johannis apostoli de Incheaffran et fratribus ibidem deo se
uientibus et seruituris terram nostram in Madernin que ter
uocatur Abthen per suas Rectas diuisas cum omnibus justis pe
tinencijs suis ad peticionem comitis Gilberti[2] de stratherne
fratris eius M · in redemptionem anime nostre et antecessoru
nostrorum et predicti comitis G et suorum[3] Tenends
predictis fratribus et eorum successoribus in liberam et pe
petuam elemosinam Reddendo nobis et successoribus nost
annuatim unam Marcam argenti scilicet dimidium ad pen
costen et dimidium ad festum sancti Martini volumus Itaq
et precipimus vt hijdem fratres predicti et eorum successo
predictam terram teneant et possideant de nobis et successo
bus nostris Ita libere et quiete plenarie et honorifice ab om
exactione et consuetudine et seruicio seculari ad nos pertine
in boscho et plano in pratis et pascuis in aquis et molendi
et omnibus alijs aisiamentis ad eandem terram pertinentit
sicut aliqua terra in episcopatu nostro liberius plenius
honorificencius tenetur et possidetur et sicut carta Johan
episcopi predecessoris nostri testatur salua tamen predi
pencione Hijs testibus henrico Archidiacono nostro Radu

et futuri. me Concessisse. et Hac Carta mea confirmasse Deo et Ecclesie Sancti Iohannis Euuangeliste de Incheaffrene. et Canonicis ibidem deo seruientibus et seruituris. donationem illam quam Comes Gillebertus de Stradherene. eis fecit de Ahchelunche. et ardeweni. et Duffindir.[1] et ardbanine. et Baleful. Tenendis in liberam et puram et perpetuam Elemosinam. per Rectas diuisas suas. et cum Omnibus justis pertinentiis suis. Itȩ libere et Quiete. Plenarie et Honorifice. sicut Carta predicti Comitis Gilleberti de Stradhern. juste testatur. Saluo seruicio meo. Testibus · Willelmo Episcopo sancti Andree. Hugone de Mortemer Priore de May. Comite Malcolmo de fif. Philippo de valoniis Camerario · Willelmo Cumin. Malisio filio Comitis ferteth. Waltero Olifarde. Willelmo de valoniis. Alexandro vicecomite de Striuelin. Willelmo Gifarde. Philippo de Lundine. Apud Striuelin. xix. die[2] Iulij.

XXV

De catallis suspensorum.[3]

1203-8.

Gilebertus Comes de stradhern omnibus hominibus tocius terre sue salutem. Sciant presentes et futuri. me dedisse. concessise. et hac carta mea confirmasse pro dei amore et pro[4] salute anime mee et uxoris mee. et antecessorum et heredum meorum. deo et Sancto Iohanni apostolo et ewangeliste de Incheaffrin et canonicis ibidem deo et[5] Sancto Iohanni seruientibus et seruituris hanc libertatem. quod si aliquis hominum suorum de territorio quod ego in liberam elemosinam eis dedi retatus fuerit in curia mea de furto siue de alia aliqua querela que ad curiam meam pertinet. et si de illa reta iudicio dampnatus fuerit : solo michi et heredibus meis corpore relicto ad conseruandam iusticiam curie nostre. omnia catalla sua remanebunt Sancto Iohanni et Canonicis. et si forte aliquis hominum suorum de aliqua reta per pecuniam mecum uel cum heredibus meis finem fecerit : omnis illa finalis pecunia predictis canonicis remanebit. Hanc quidem libertatem deo et Sancto Iohanni

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[1] Reg. *Drumfindyr.* [2] Reg. *xx die.*

[3] From the original, Dupplin, No. 139 (i). (=*Lib. Ins. Mis.* No. 6). The last three words are spaced out to fill up the line. Seal lost; tag remains.

[4] Reg. omits *pro.* [5] Reg. omits *et.*

et predictis canonicis de me et heredibus meis in perpetuum habendam presenti scripto confirmaui. Hiis testibus. Malisio fratre Comitis. Matilda Comissa.[1] Ionatha episcopo. Iohanne archidiacono. Abraham Capellano comitis. Constantino Iudice. Gillenanem. dapifero. Malisio filio eius. Willelmo. fertet. Roberto. fergus. Malisio. Gillecrist filiis meis. et Mvltis Aliis.

XXVI

c. 1208. ### De terra in territorio de Gortin. Tristram.[2]

Sciant tam futurj quam presentes quod ego tristram dedi et concessi et hoc scripto meo confirmaui deo et sancto Iohanni apostolo de incheaffrin et canonicis ibidem deo seruientibus et seruituris. unum croftum in territorio meo. edardoennech. quod est propinquius[3] stagno Molendinj de Gortin · uersus orientem. per ipsas diuisas quas Malisius prior in uita sua tenuit. pro dei amore et pro salute anime mee in liberam et perpetuam elemosinam. tenendum sibi et habendum et possidendum de me et heredibus meis libere et quiete ab omni penitus seculari seruitio et seruili actione. Hij sunt testes. Abraham capellanus domini Comitis de strathern. et artur filius eius. Isachar capellanus de foglais.[4] Dominus Reginaldus canonicus de scon.[5] Henricus. et tristram. et Willelmus filij tristram. et tebald de[6] foglais. Ela[7] femina tristram. et auiz[8] filia eius. et Mvltj Alij.[9]

johanni apostolo et ewangeliste de inseafren et canonicis ibidem deo seruientibus et seruituris donationem illam quam eis tristram dedit. scilicet unum croftum in territorio suo. de Edardoennech. quod est propinquior stagno Molendini de Gortin uersus orientem. ita libere et quiete sicut liberius et quietius predicti tristram carta testatur. Hii sunt testes .G. archidiaconus. Abraham capellanus comitis. Bricius persona de cref. philippus de melkinh.[1] Ricardus miles de kenbuc. Ricardus uuieth. Nichellus[2] de dolpatric. Enricus filius tristram. Galfridus de Gaisk. Macbeth filius branj. Gillemichel[3] de dunin. et multi alij.

XXVIII

[Carta comitis G. de ecclesia de Foulis.[4]] 1210.

G. Comes de Strathern · Omnibus amicis et hominibus suis. clericis et laicis presentibus et futuris salutem. Sciatis me dedisse et concessisse · et hac mea carta confirmasse deo et sancto Iohanni [apostolo][5] et euuangeliste de Incheaffren. et canonicis ibidem deo seruientibus et seruituris pro dei amore et pro salute anime mee. et uxoris mee. antecessorum meorum et heredum meorum ecclesiam sancti Beani de foulis. cum Omnibus iustis pertinentiis suis. in decimis et oblacionibus. et obuentionibus. cum dotali terra ecclesie · cum communi pastura parochie ceterisque aisiamentis ad predictam ecclesiam pertinentibus. in puram et perpetuam elemosinam · ad habendum. et tenendum. et possidendum sibi et successoribus suis · de me et heredibus meis in proprios usus perpetualiter. ita libere quiete · plenarie. et honorifice · sicut liberius. quietius. plenarius et honorificentius aliqui religiosi in toto regno Scotie ecclesias suas habent tenent · et possident · Hiis Testibus domino A · dunblanensi electo · G · eiusdem loci archidiacono · M · fratre meo · M · comitissa · Roberto filio et herede meo · et aliis filiis meis · Bricio persona de Cref · G · senescallo meo · et M · filio suo · Willelmo de haia clerico meo.

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[1] Reg. *Melkinch.* [2] Reg. *nicholaus.* [3] Reg. *Gillmech.*
[4] *Lib. Ins. Mis.* Appendix to Preface, No. 3. Corrected from the original in the Atholl charter-chest. Seal gone.
[5] Not in the charter.

XXIX

1211-14. ## De foulis.[1]

· W · dei Gracia Rex scottorum. Omnibus probis Hominibus Tocius Terre sue Clericis et laicis: salutem. Sciant presentes et futuri · me Concessisse. et Hac Carta mea confirmasse. donationem illam quam · G · Comes de stradherene · fecit deo et sancto Iohanni Euuangeliste de Incheaffren. et Canonicis ibidem deo seruientibus et seruituris de Ecclesia sancti Beani de foulis. Tenenda in puram et perpetuam Elemosinam. cum Omnibus ad predictam Ecclesiam iuste pertinentibus. ita libere et Quiete · plenarie et honorifice. sicut Carta predicti · G · Comitis de stradheren. testatur. Testibus. Willelmo de Boscho Cancellario meo. Oliuero et Willelmo Capellanis meis · Willelmo de valoniis · Alexandro vicecomite meo de striuelin. Apud forgrund · iij · die Decembris.

XXX

c. 1211. ## De ecclesia de Aberrotheuin. Abrahe episcopi.[2]

Abraham dei gratia Dumblainensis episcopus. Vniuersis sancte matris ecclesie filijs. Salutem et benedictionem. Sciatis nos presentatione · G · comitis de strathern Dedisse et concessisse et hac carta nostra confirmasse. deo et sancto Iohanni apostolo et euuangeliste de Incheaffren. et Canonicis ibidem

fratre ejus. Gilleberto archidiacono. Bricio persona de Cref. Malisio persona de foules. Willelmo capellano episcopi. Malisio persona de killebride. Ricardo capellano comitis · Ricardo Milite · Malisio senescallo · Et Multis alijs.

XXXI

De ecclesia de huctherardouer Abrahe episcopi.[1] *c.* 1211.

Abraham dei gratia Dumblainensis episcopus · Uniuersis sancte matris ecclesie filijs · Salutem: Et benedictionem. Sciatis nos presentacione · Gilleberti Comitis de strathern · Dedisse et concessisse et hac carta nostra confirmasse deo et sancto Iohanni apostolo et ewangeliste de Incheaffren · et Canonicis ibidem deo seruientibus et seruituris. Ecclesiam sancti Mahessoc de huctherdardouer. in puram et perpetuam elemosinam. Tenendam sibi · Cum omnibus iustis pertinentijs suis · et obuentionibus omnimodis in proprios vsus suos · Ita libere et quiete · plenarie et honorifice · sicut aliqui Religiosi In toto Regno Scotie suas ecclesias liberius. quietius · plenarius. et honorificentius. tenent et possident. saluis episcopalibus nostris. His testibus. · G · comite de strathern. Malisio fratre eius. Roberto filio comitis. fergus fratre eius. Gilleberto archidiacono. Bricio persona de Cref. Malisio seneschallo. Malisio persona de foules. Ricardo Milite. Willelmo capellano episcopi. Malisio persona de killebride. Ricardo capellano comitis. Et Multis alijs.

XXXII

Confirmacio super ecclesia de Maddirdyn per · J · episcopum secundum.[2] *c.* 1211.

Johannes dei gracia ecclesie Dunkeldensis episcopus vniuersis sancte Matris ecclesie filijs eternam in domino salutem sciant presentes et futuri nos concessisse et hac carta nostra confirmasse in redempcione anime nostre et successorum nos-

[1] From the original, Dupplin, No. 15. Oblong seal in white wax, nearly entire.

[2] Reg. (see *Lib. Ins. Mis.* No. 70).

trorum Deo et sancte Marie et sancto Johanni apostolo d
insula missarum et · J · priori et omnibus in eadem insula su
religione deo seruientibus et seruituris ecclesiam de Maddyrdyn
cum omnibus justis pertinencijs suis in liberam et perpetuam
elemosinam Tenendam ita libere et quiete plenarie et honorific
sicut aliqua ecclesia in nostro episcopatu liberius quiecius pleniu
et honorificencius Religiose domui conceditur et possidetur e
sicut carta episcopi Johannis predecessoris nostri testatur salu
· jure episcopali hijs testibus Magistro henrico Archidiacon
nostro Duncano decano Atholie Eugenio clerico · G · et W
capellanis nostris Magistro Roberto clerico nostro Willelm
senescallo nostro Michaele persona de Methfen et Multi
alijs.

XXXIII

1210-18. ## Carta de balmakgillone.[1]

Gilbertus comes de stratheryn omnibus hoc scriptum visuri
vel audituris salutem nouerit vniuersitas vestra me dedisse e
concessisse et hac carta mea confirmasse deo et beate marie e
beato Iohanni apostolo et euangeliste de Inchaffray et canonici
ibidem deo seruientibus et seruituris Balmakgillonam pe
rectas diuisas suas et cum omnibus justis pertinencijs sui
Tenendum in liberam et puram et perpetuam elemosinam i
bosco et plano in terris et aquis in pratis et pascuis in moris i
marresiis in stagnis et molendinis in viuariis et piscariis liber

XXXIV

De Molendino super hern.[1] 1210-18.

·G· comes de strathern o[mn]ibus dilectis amicis suis presens scriptum visuris uel audituris salutem · Sciant tam presentes quam futuri Me dedisse et concessisse et hac carta mea confirmasse · deo et sancte Marie et beato iohanni de Inhcaffren [sic] et canonicis ibidem deo seruientibus et seruituris · vnum locum super aquam de hern ad faciendum Molendinum suum ubicumque Meliorem locum eligere potuerint · a Molendino de dunffallin quod tunc ibi erat quando hec carta composita fuit in orientem; Ita tamen quod coadiuuantes sint homines sui cum meis ad stagnum faciendum siue ad aquam deducendam ad utrumque Molendinum · et quod ipsi nichil recipiant ad Molendum in Molendino suo de proprio teritorio meo nisi licentia mea : aut eorum qui Molendina mea tenuerint; et ut hec donatio rata et inconcussa eis in posterum haberetur in puram et perpetuam elemosinam libere et quiete·plenarie·et honorifice ab omni seculari seruicio et exaccione presens scriptum sigilli mei munimine dignum duxi roborandum; testibus hiis domino ·a·dumblanensi episcopo · R · et f · et G · filliis meis · Gilberto archidiacono de strathern · bricio · persona de cref Malisio filio suo Ricardo capellano meo Willelmo clerico meo · et Multis aliis.

XXXV

De libertate tollenei.[2] 1215-21.

Allexander Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue salutem Sciatis me concessisse canonicis de Inchaffryn vt quieti sint per totam terram meam de Tholleneo et consuetudine de hijs que ement ad vsus eorum proprios Quare pro hibeo firmiter ne quis eos iniuste vexare presumat exigendo de eis tollenium vel consuetudinem aliquam de hijs que ement ad vsus eorum proprios super meam defencionem

[1] Laing Charter, No. 13 (No. 5 of Calendar), in Edinburgh University Library. Seal and tag gone; slit remains. [2] Reg. (see *Lib. Ins. Mis.* No. 9).

Testibus Willelmo de boscho cancellario meo comite Malcolmo de ffyff apud streuyllyn decimo Die Marcii.

XXXVI

1215-21. ## De ecclesia de Madernin Hugonis Episcopi.[1]

· H · dei gratia Dunkeldensis episcopus omnibus sancte Matris ecclesie filijs Eternam in domino Salutem. Nouerit vniuersitas vestra nos concessisse et hac Carta nostra confirmasse · Dilectis in cristo filijs canonicis de Inche affran Ecclesiam de Madernin cum omnibus justis pertinentijs suis ita libere et quiete plenarie et honorifice · sicut Carta donationis quam dedit eisdem pie memorie Iohannes primus predecessor noster testatur · cum eadem ecclesia de Madernin ad donationem episcoporum Dunkeldensium qui veri dinoscuntur esse patroni : pertineat · Nos autem qui licet hora vndecima sumus inter operarios vinee domini sabbaoth a summo patrefamilias ewangelico vocati · Et si religio in nobis Minus sit sufficiens et vera : eam tamen in alijs pie confouere et religiosos honorabiliter[2] tractare debeamus. donationem memorati domini Iohannis predecessoris nostri · Necnon et confirmationes bone recordationis Ricardi · ij · et Iohannis · ij · predecessorum nostrorum super prefata ecclesia de Madernin latius et benignius interpretantes : de consilio clericorum nostrorum eisdem Canonicis eorum tenuitati et paupertati compacientes concedimus et hac carta nostra confirmamus vt omnes prouentus

roborandam. Hijs Testibus. Magistro henrico Archidiacono nostro. Gilleberto capellano. Willelmo capellano. Magistro Roberto de Raperes laue. Magistro Iohanne de hetone. Willelmo de Clonin. canonicis Dunkeldensibus. Matheo Decano · Eugenio persona de Clonjn. Adam persona de forgrund. hugone capellano nostro. vuiet capellano de aberdalgin. Beringario · Abraham · Alano clericis nostris. et Multis alijs.

XXXVII

De Maresio.[1] 1218.

Vniuersis sancte matris ecclesie filijs et fidelibus presens scriptum uisuris uel audituris Gillebertus comes de strathern. eternam in domino salutem. Nouerit uniuersitas uestra me dedisse et concessisse et hac carta mea confirmasse deo et sancte Marie et beato Iohanni de Inchaffren. et canonicis ibidem deo seruientibus. et seruituris tantum Maresij [2] adiacentis prenominate Insule in syro de foulis. quantum uallatum erat fossa eodem anno quo hec cartá composita fuit. silicet. Anno ab incarnatione dominj Millessimo. cc°.x°.viii°. Tenendum sibi et successoribus suis de me et heredibus meis in puram et perpetuam elemosinam. libere quiete. plenarie. et honorifice ab omni seculari seruitio et exactione. Testibus hijs. Abraham. dunblanensi episcopo. Roberto. fergus. Malisio. Gilleberto. filijs meis. Malisio senescallo meo. Bricio persona de cref. Doncano filio malisi. henrico Rennario meo. Willelmo clerico meo. tristream filio tristream. et multis aliis.

XXXVIII

Carta de decem acris in uilla de Gask.[3] *c.* 1218.

Saherus de quinc[y] comes Wintonie omnibus cristi fidelibus hoc scriptum visuris vel audituris salutem Nouerit vniuersitas vestra me pro salute mea et antecessorum meorum dedisse et confirmasse in puram et perpetuam elemosinam deo

[1] From the original, Dupplin, No. 139 (iii) (= *Lib. Ins. Mis.* No. 8). Seal and tag gone; slit remains.

[2] Reg. *Marresie.*

[3] Reg. (see *Lib. Ins. Mis.* No. 67).

et beate Marie et ecclesie de Inchafray et canonicis ibidem deo seruientibus decim acras terre in territorio de Gask illas scilicet decim acras quas Willelmus de selfurd senescallus meus et Willelmus de fored et Willelmus clericus et Morinus le Marr [et] Adam Ruffus perambulauerunt eis per preceptum meum habendas et tenendas inperpetuum libere et quiete ab omni seculari seruicio et exaccione dedi eciam eis pasturam decim vaccarum in communi pastura de Gask et vt hec mea donacio Rata et inconcussa permaneat eam sigilli mei apposicione roboraui Sciendum eciam quod hec predicta dedi eis in escambium · vij · acrarum terre quas Idem canonici calu[m]pniauerunt versus me hijs testibus [1]

. . . . . .

XXXIX

1219. Carta · terrarum · videlicet · de Achlonx · Ardeuny · Ardbany · Duffindir · Balfoer · Balgilhon · tribus acris proximis marisco de foulis · Ruhehalache · [Molendino super herne cum omni asiamento quod firmatum est .] Item de ecclesiis de strugethe · Dunyn . Abirrothauen huthirardor kinkel foulis Madirdi Mothavard kellebrid.[2]

Vniuersis sancte Matris ecclesie filijs et fidelibus. Gillebertus comes de stratheren · salutem. Nouerit uniuersitas uestra me quandam domum fundasse in honorem dei et sancte Marie et sancti Johannis apostoli et euuangeliste in terra mea

uersus aquilonem. Et villam que dicitur Ruuehalach. quam dedi eis pro decimis lucrorum meorum que prouenient michi et heredibus meis de placitis et querelis de comitatu meo. De lucris autem que michi et heredibus meis aliunde euenerint.[1] eis decimas plenarie persoluemus. et tantum de Maresio de foulis adiacente prenominate Insule quantum uallatum est ab eis fossato anno ab incarnatione domini. M°.cc°.xix°. et vnum Molendinum super heren apud dunfallin. quod firmauerunt Iuxta meum Molendinum[2] cum omni asiamento quod firmatum est anno ab incarnatione domini .M°.cc°.xix°. Hec autem omnia uolo ut prefati canonici habeant. teneant. et possideant. In puram et perpetuam elemosinam. In bosco et plano. in terris et aquis. in pratis et pascuis. in Moris et Maresijs. in stagnis et Molendinis. et piscarijs. per omnes rectas suas diuisas. cum omnibus iustis pertinentiis suis. Ita libere et quiete · plenarie. et honorifice. sicut aliqua elemosina in toto regno scotie ab aliquo comite uel barone. liberius. quietius. plenarius. et honorificentius tenetur et possidetur. Ego uero et heredes mei totum forinsecum seruitium domini regis quod ad prenominatas terras pertinet. inperpetuum adquietabimus. Preter hec autem adieci ad honorem dei et promotionem loci et prefatorum canonicorum sustentationem. Ecclesiam Sanctj Patricij de strugeth. Ecclesiam sancti Seruanj de dunin. Ecclesiam Sanctj katanj de aberrothuin. Ecclesiam Sanctj Mohessoc de vchterardouer. Ecclesiam Sanctj Beanj de kinkelle. Ecclesiam Sancti Beani de foulis. Ecclesiam sancti Iþernanj[3] de Madernj. Ecclesiam Sanctj Seruanj de Moydeuard. Ecclesiam Sancte Brigide de kilbrigde. Tenendas sibi et successoribus suis cum terris et pasturis. et herbagijs et omnibus alijs iustis pertinentijs suis et asiamentis. In puram et perpetuam elemosinam. Ita libere et quiete. plenarie et honorifice. sicut aliqui religiosi aliquas ecclesias in toto Regno scotie. liberius · quietius. plenarius et honorificentius tenent et possident ex dono alicuius comitis uel Baronis. Hijs testibus. Abraham Dunblanensi episcopo. Willelmo abbate de scona · Gilleberto archidiacono. de stratheren. Roberto. fergus. Malisio. Gilleberto filijs meis · Malisio senescallo meo.

[1] Reg. *venerint.*
[2] Reg. *molendinum meum.*
[3] Reg. *Iþhernani.*

Briccio persona de cref. Donecano. et Gillethoma filijs Malisij. Donecano filio brani. Gillecrist filio iudicis de strathereren. Henrico Rennario meo. Tristram filio tristram Constantino dapifero Thebaldo dispensario meo. et multis alijs.

XL

1219/20. ## Confirmatio regis allexandri.[1]

Allexander Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciant presentes et futuri me concessisse et hac carta mea confirmasse deo et sancte Marie et ecclesie sancti Iohannis apostoli et euangeliste apud Inchafryn et canonicis ibidem deo seruientibus et seruituris dona que comes Gilbertus de stratheryn fundator ipsius ecclesie pia deuocione eis dedit·scilicet·Inchaffryn Achinluxiche et Ardewny et Ardbany et Duffynder et balfur et Balmakgillon et tres acras terre illius que proxima est Marresio de fowlis versus aquilonem et villam que dicitur Ruhalach quam Idem comes dedit eis pro decimis lucrorum suorum que prouenient ei et heredibus suis de placitis et querelis de comitatu suo saluis eisdem canonicis decimis que predicto comiti et heredibus suis aliunde euenerint et de Maresio de ffowlis sicut continetur in carta ipsius comitis et vnum Molendinum super Eryn apud Dunfallyn sicut similiter continetur in carta ipsius comitis et preterea decimam omnium canorum et Reddituum ipsius comitis in frumento farina grano brasio caseis et omnibus

fowlis ecclesiam sancti Ethirnani de Maddirnyne ecclesiam sancti seruani de Moyheuard ecclesiam sancte Brigide de kylbryde Quare volo vt predicta ecclesia et canonici eiusdem loci omnia prescripta teneant et possideant in puram et perpetuam elemosinam cum omnibus justis pertinenciis suis ita libere et quiete plenarie et honorifice sicut carte ipsius comitis eis inde facte testa[n]tur saluo seruicio meo Testibus Willelmo Abbate de scona Willelmo de Boscho cancellario meo Waltero filio Alani senescallo henrico de Bayleyhef Waltero de fontibus henrico de streuyllyn filio comitis dauid Johanne de haya Waltero Cumin Allexandro de setona Willelmo de lyndesay filio Walteri de lyndesay apud Sconam quinto die Januarii.

XLI

Confirmatio domini Roberti de ecclesiis et terris Tercia. *c.* 1220.

Robertus filius Gilleberti comitis de stratheren. Omnibus dilectis amicis suis presens scriptum visuris uel audituris. salutem. Sciant tam presentes quam futuri me pro salute anime mee et patris mei et matris mee et antecessorum meorum concessisse et hoc presenti scripto meo confirmasse donationem illam quam fecit predictus comes pater meus. Deo. et Sancte Marie. et Sancto Iohanni de Incheaffren et canonicis ibidem deo seruientibus et seruituris de hijs terris. scilicet. adlunxi et ardewanj. et ardbanj. et dofindre. et balfur. et balmakilleoen. et de tribus acris terre illius que proxima est Marisco de foulis. uersus aquilonem et de villa qui [*sic*] dicitur Ruuehalach. et de tanto Marisij de foulis adjacente prenominate Insule quantum vallatum est ab eis fossato. Anno ab incarnatione dominj. M°.cc°.xix°. et de vno Molendino super heren apud dunfallin quod firmauerunt iuxta Molendinum predictj comitis patris mej cum omnj aisiamento cum quo firmatum est anno ab incarnatione domini M°.cc°.xix°. Et ut hec omnia prefati canonicj teneant et

[1] From the original, Dupplin, No. 140 (i). The last word of the indorsement is doubtful. Seal lost; tag remains. See facsimile.

possideant in puram et perpetuam elemosinam. jn bosco et plano. et in terris et aquis. in pratis et pascuis. in moris et maresijs. in stagnis et molendinis et piscarijs. per omnes rectas suas diuisas cum omnibus iustis pertinentijs suis. Ita libere et quite. plenarie. et honorifice. sicut carta prenominatj comitis patris mei testatur et confirmat presens scriptum predictis canonicis sigilli mei munimine roborauj. Preterea cum omnibus hijs pretaxatis concedo eis et confirmo has ecclesias quas pater meus eis donauit. scilicet. Ecclesiam sanctj patricij de struget. Ecclesiam Sanctj Seruanj de dunin. Ecclesiam sanctj Beanj de foulis. ecclesiam sanctj Beanj de kinkelle. ecclesiam sancti katanj. de aberrothuin. Ecclesiam Sanctj Mohessoc de vterardouer. ecclesiam sanctj Seruanj de Moydeuard. ecclesiam sancti Seruanj de tulliedene. Ecclesiam Sancte brigide de killbrigde. ecclesiam sanctj ydarnasij de Madornj. Tenendas et possidendas sibj et successoribus suis cum terris et pasturis et herbagijs et alijs iustis pertinentijs suis et esiamentis in puram et perpetuam elemosinam. Ita libere et quiete. plenarie et honorifice. sicut carta sepe dictj comitis patris mej testatur et confirmat. Hijs testibus. Abraham dunblanensi episcopo. Willelmo abbate de scona. Gilleberto archidiacono de strathern. fergus. Malisio. Gilleberto. fratribus meis. Malisio senescallo predicti patris mej. Iurdano senescallo meo. Bricio persona de cref. dunecano et Gilletoma filijs malisij. Gillecrist filio iudicis de stratheren. henrico Rennario patris mej. et Multis alijs.

elemosinam deo et beate marie et Ecclesie de Incheaffran · et Canonicis ibidem deo seruientibus et seruituris decem acras terre in territorio de Gasc · scilicet · illas quas prudentes homines domini patris mei Comitis Wintonie perambulauerunt et pasturam .x. vaccarum · In communi pastura de Gasc · tenendas inperpetuum libere et quiete ab omni seculari seruitio et exactione. sicut carta patris mei quam habent testatur · Et ut hec concessio et confirmatio Rata et inconcussa permaneat Hu[i]c scripto sigillum meum apposui · Et sciendum est quod predictam terram · scilicet · x acras prenominatas concessi canonicis prenominatis in escambium vij acrarum quas idem canonici uersus patrem meum Calumpniauerunt · Hiis Testibus · Gilberto Comite de stratherne · Roberto et Fergus filiis suis euerardo de trumpitune. Willelmo de Selforde · Morino de kyndelouth et W · de Fore et multis aliis.

XLIII

De libertate proprie curie nostre.[1]

c. 1220.

Gilbertus filius ferthet Comes de strathern Omnibus amicis suis et hominibus has litteras uisuris uel audituris salutem. Sciatis quod dedi et concessi deo et sancto iohanni De incheaffren et priori et canonicis ibidem deo seruientibus et seruituris hanc libertatem in puram et perpetuam elemosinam vt cum aliqua querela que ad curiam meam debet spectare mota fuerit super aliquem hominem manentem in terris eorum non trahatur de terris eorum ad respondendum alibi : set teneant libere placita sua prefatus prior et canonici in terra sua ubicumque uoluerint et per quoscumque eis placuerit. Precor eciam amicos meos · et hominibus et bailliuis meis scilicet senescallo et iudici meo precipio · quatinus cum necesse fuerit et requisiti fuerint a prefato priore et canonicis omni occasione et dilatione remota in fidelitate quam michi debent ueniant ad prefatos priorem et canonicos et teneant placita canoni-

[1] From the original in the Gask Charter-chest (=*Lib. Ins. Mis.* No. 4). Printed, with facsimile, in *Oliphants in Scotland*, p. 1. Seal gone; tag remains.

corum ubi canonicis placuerit sicut mea propria · Ita ut prefati prior et canonici habeant omnia forisfacta et omnia que ad curiam meam pertinent salua michi et heredibus meis iusticia corporum. Do eciam eis licentiam capiendi namos de firmariis meis pro decima que eis contingit de dono decime mee si forte ad terminos statutos non persoluerint. Precipio etiam firmiter super forisfactum meum seruientibus meis ne quis eorum infra terras prefati prioris et canonicorum uiolentiam uel disturbationem aliquam faciant · nec aliquid exigant nisi per eorum uoluntatem et licenciam. Et ut hec libertas et concessio mea a me et heredibus meis rate et inconcusse habeantur inperpetuum presens scriptum sigilli mei appositione roboraui. Hiis testibus · Domino Willelmo abbate de scona · Roberto priore eiusdem Loci · Iohanne et Ricardo et cungi[1] capellanis meis · Malisio senescallo meo · Willelmo clerico meo · Henrico filio tristram et multis aliis;

XLIV

c. 1220. ## De libertate proprie curie nostre.[2]

Gilbertus filius ferthet comes de strathern Omnibus amicis suis et hominibus has litteras uisuris uel audituris Salutem. Sciatis quod dedi et concessi deo et Sancto Iohanni de Incheaffren et priori et canonicis ibidem deo seruientibus et seruituris hanc libertatem in perpetuam elemosinam vt cum aliqua querela que ad curiam meam debet spectare mota fuerit

prefati prior et canonici habeant omnia forisfacta et omnia que ad curiam meam pertinent. salua michi et heredibus meis iustitia corporum. Do eis etiam licentiam capiendi namos de firmariis meis pro decima que eis contingit de dono decime mee. si forte ad terminos statutos non persoluerint Precipio etiam firmiter super forisfactum meum seruientibus meis nequis eorum infra terras prefati prioris et canonicorum uiolentiam uel disturbationem aliquam faciant. nec aliquid exigant nisi per eorum uoluntatem et licentiam. Et ut hec libertas et concessio mea a me et heredibus meis rate et inconcusse habeantur in perpetutum [*sic*] presens scriptum sigilli mei appositione roboraui. Hiis testibus. Dompno Willelmo Abbate de scona. Roberto priore eiusdem loci. Iohanne. et Ricardo. et cungi capellanis meis. Malisio senescallo meo. Willelmo clerico. Henrico filio tristram. Et multis aliis.

XLV

De Ecclesia de Gasc.[1]

1221-3

Gillebertus comes de stratherne · vniuersis sancte Matris ecclesie filiis Salutem · Sciatis me dedisse et concessisse et hac Carta mea confirmasse Deo et Sancto Iohanni apostolo et Euangeliste de Insula Missarum · et abbati et Canonicis ibidem deo · seruientibus et seruituris · Ecclesiam Sancte Trinitatis de Gasc · In puram et perpetuam Elemosinam · Tenendam sibi de Me et heredibus meis inperpetuum · In decimis et oblacionibus et obuencionibus omnimodis cum terra ad eandem Ecclesiam pertinente et cum communi pastura Parochie et ceteris aisiamentis omnimodis ad predictam Ecclesiam pertinentibus · Ita libere et quiete Plenarie et honorifice · sicut aliqui religiosi in toto Regno Scocie aliquam Ecclesiam de dono alicuius Comitis · liberius · quietius Plenarius et honorificentius · habent · tenent · et possident · Hiis Testibus · Abraham dunblanensi episcopo · W · de bosco cancellario domini Regis · W · Abbate de scona · G · archidiacono

[1] From the original in the Atholl charter-chest; printed *Lib. Ins. Mis.* Appendix to Preface No. 5. Large seal, with counter-seal.

Dunblanensi · Dompno Roberto Canonico de scona · Ricardo de kelchou clerico domini Cancellarii · Willelmo clerico Meo · et multis aliis.

XLVI

1221-23. ## Carta de abircarny.[1]

Omnibus sancte matris Ecclesie filiis presens scriptum uisuris uel audituris Ysenda sponsa Comitis Gilleberti de Strathern salutem · Sciatis me diuine caritatis intuitu per consensum[2] prenominati Comitis domini mei dedisse et concessisse et hac carta mea confirmasse Abbati et Canonicis de Insula Missarum · quinque · acras terre in uilla mea de Abercharni · illam scilicet terram quam eisdem Abbati et Canonicis probis hominibus presentibus perambulaui · videlicet domino Ricardo Milite et Galfrido de Gasc fratribus meis · henrico · et · Tristrem filiis tristrem · Willelmo clerico Comitis[3] et multis aliis tenendum sibi in perpetuam elemosinam · libere et quiete ab omni seruicio et exaccione seculari · cum communi pastura duodecim vaccarum et duorum equorum et cum omnibus aliis aisiamentis eiusdem territorii ad tantam terram pertinentibus · In Huius[4] Rei testimonium quoniam eo tempore quo hec carta facta fuit sigillum proprium non habui huic scripto sigillum Domini Abrahee Dunblanensis Episcopi qui huius donacionis testis est quod ad[5] hoc ipse michi accommodauit apposui · vt hec autem mea donacio in per-

XLVII

Confirmatio comitis Roberti.[1]

1221-23.

Uniuersis sancte Matris ecclesie filijs hoc scriptum visuris vel audituris Robertus filius Gilberti comitis de stratheryn eternam in domino salutem Nouerit vniuersitas vestra me fideliter promisisse et me ipsum obligasse erga dompnum Innocencium Abbatem et conuentum de insula missarum fide mea interposita in manu Dompni Abbrahe Episcopi Dunblanensis coram viris: fidedignis scilicet Gilberto archidiacono Dunblanensi [2] et Cristino fratre ejus Duncano filio Ade Milite de ffiff Milisio senescallo de stratheryn B[r]icio persona de Creffe et malisio filio eius Makbeth judice et multis alijs in ecclesia de strogeth quod nuncquam in tota vita mea prefatum Abbatem vel conuentum iniuste vexabo Inmo ipsos tanquam amicos meos specialissimos diligam et in omni loco honorabo et domum predictam saluis iure et honore meo per consilium amicorum meorum quantum potero accrescam Et eis ecclesias de Gask et de strogeth et omnes alias ecclesias terras possessiones libertates rectitudines consuetudines aysiamenta et decimas omnimodas et cetera omnia que in cartis prenominati comitis domini et patris mei et meis continentur sicut e[e]dem carte testantur benigne concedens et hac carta mea confirmans eis hec omnia contra omnes homines warantizabo et eos quite et pacifice ipsa possessione tenere faciam Preterea si aliquid eis latrocinium furtum iniuria vel uexacio aliqua illata fuerit jus eorum tanquam meum proprium et sicut patronus domus in omnibus prosecuturus et iniurias vindicaturus causam eorum manutenebo et iniuriosos ad satisfaciendum eis secundum posse meum constringam et ab eis nullam pacem vel concordiam admittam nisi cum consilio ipsorum Abbatis et conuentus et nisi saluis eorum plenario jure et honore vt hec autem mea concessio et confirmacio rata et inconcussa permaneat presens scriptum sigilli mei et sigillorum predicti domini Abbrae episcopi Dunblanensis et domini hugonis Episcopi Dunkeldensis et

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[1] Reg. (see *Lib. Ins. Mis.* No. 16).

[2] Blank space in Reg.

Domini hugonis Abbatis de sancto seruano et domini ffergusij fratris mei qui huius testes sunt apposicione dignum dux[i] roborare.

XLVIII

c. 1221. [De ecclesia de Maderdin Hugoni episcopi Carta altera.[1]]

Hugo dei gratia Dunkeldensis episcopus Omnibus Sancte matris ecclesie filiis. eternam in domino Salutem. Nouerit uniuersitas uestra nos concessisse et hac carta nostra confirmasse Dilectis in cristo filiis Dompno abbati de Inche affren. et Canonicis ibidem deo seruientibus et seruituris. Ecclesiam de Marderdin[2]. cum omnibus iustis pertinentiis suis ita libere. et quiete. plenarie. et honorifice. sicut carta donationis quam dedit eisdem Canonicis pie memorie Iohannes primus predecessor noster testatur. cum eadem Ecclesia de Marderdin ad donationem Episcoporum Dunkeldensium qui ueri dinoscuntur esse patroni pertineat. Nos autem qui licet hora undecima sumus inter operarios uinee Domini sabaoth a summo patre familias euangelico uocati. quamuis religio in nobis minus sit sufficiens et uera. eam tamen in aliis pie confouere et Religiosos honorabiliter tractare debeamus:[3] Donationem memorati Domini Iohannis predecessoris nostri. nec non et confirmationes bone recordationis Ricardi secundi[4] et Johannis secundi. predecessorum nostrorum super prefata

de spiritualibus respondeant. saluo etiam in omnibus iure Episcopali. vt autem hec nostra concessio inperpetuum firma. Rata. et inconcussa permaneat. tam nos quam Capitulum ipsum in signum assensus sui sigilla nostra apposuimus. Hiis Testibus. Magistro Henrico archidiacono nostro. Gilleberto capellano. Willelmo capellano. Magistro Roberto de Raperlau. Magistro Iohanne de Hetune. Adam de prebenda. Willelmo de Clonin. Canonicis Dunkeldensibus. Matheo Decano. Eugenio persona de Clonin. Hugone et Abraham Capellanis nostris. Berengario. Alano. Clericis nostris. et multis aliis.

XLIX

Confirmacio hugonis episcopi de abthan de madirnyn.[1] *c.* 1221.

Hugo dei gracia episcopus Dunkeldensis vniuersis sancte Matris ecclesie filijs salutem sciant omnes presentes et futuri nos concessisse et hac carta nostra confirmasse Deo et ecclesie sancti Iohannis de Inchaffryn et fratribus ibidem deo seruientibus et seruituris terram nostram in Maddyrnyne que terra vocatur Abthen per suas rectas diuisas cum omnibus justis pertinencijs suis Tenendam de nobis predictis fratribus inperpetuum Reddendo nobis et successoribus nostris annuatim vnam Marcam argenti scilicet dimidium ad Penticosten et dimidium ad festum sancti Martini Volumus itaque vt Idem fratres predictam terram teneant et possideant de nobis et de successoribus nostris Ita libere et quiete plenarie et honorifice ab omni exaccione et consuetudine et seruicio seculari ad nos pertinente in bosco et plano in pratis et pascuis in aquis et molendinis et in omnibus alijs aysiamentis ad eandem terram pertinentibus sicut aliqua terra in episcopatu nostro liberius plenius et honorificencius tenetur et possidetur salua duntaxat predicta pencione Testibus hijs Magistro henrico Archidiacono nostro Magistro Roberto de Raperes laue Magistro Iohanne de hetona Adam de Prebenda Gilleberto capellano de Aberlauedy

[1] Reg. (see *Lib. Ins. Mis.* No. 77).

canonicis Dunkeldensibus Ewgenio persona de Clonyn Bernardo capellano de kergille hugone Abbraham capellanis nostris Berengario et Alano clericis nostris et Multis alijs.

L

. 1221. **Quita clamacio cani et conueti de maddirnyn.**[1]

Hugo dei gracia Dunkeldensis episcopus omnibus presens scriptum uisuris uel audituris eternam in domino salutem Nouerit uniuersitas uestra nos caritatis et diuine pietatis intuitu remisisse et inperpetuum quietum clamasse Abbati et canonicis de insula missarum canum et conuetum[2] quod clerici ecclesie Dunkeldensis percipere consueuerunt apud Madirdin[3] de terra[4] que scotice[5] dicitur Abthen ad huius autem quiete clamacionis robur perpetuum huic scripto sigillum nostrum apposuimus Teste capitulo Dunkeldensi.

LI

1223-24. **Confirmacio Roberti comitis de ecclesiis terris et decimis et aliis.**[6]

Robertus Comes de Stratheren Omnibus hoc scriptum visuris uel audituris salutem. Sciant presentes et futuri me concessisse et hac Carta mea confirmasse deo et Beate Marie et Beato Iohanni Apostolo de Incheaffren et Canonicis eiusdem

et Pater meus eisdem Canonicis dedit et concessit · et per Cartas suas inde factas confirmauit. Ita libere et quiete. Plenarie et honorifice et integre: sicut in[1] eisdem Cartis patris mei et meis continetur. Preterea concedo predictis Canonicis · et eis perpetuo de me et heredibus meis inconcusse tenendum presenti Carta confirmo · quatinus nullus nostrum det uel aliquo modo conferat alicui terram uel quicquam aliud: nisi saluis elemosinis et[2] Rectitudinibus ad ipsos Canonicos de iure pertinentibus. hiis testibus. Abraham Episcopo Dunblanensi · Gilleberto archidiacono de stratheren · ffergus · Malisio · Gilleberto fratribus meis · Bricio Persona de Cref · Mackebet more Donecano et Gillethoma filiis Malisii · et Multis aliis.

LII

Carta terre de Rath.[3]

1223-24.

Robertus comes de stradhern Omnibus hoc scriptum uisuris uel audituris salutem · Scient presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Deo et beate maRje et beato Johanni apostolo et euangeliste de insula missarum et abbati et canonicis ibidem deo seruientibus et seruituris in puram et perpetuam elemosinam terram que dicitur Rath scilicet quartam partem tocius Dunphalin cum omnibus iustis pertinenciis suis in bosco et plano in pratis et pascuis in moris et maresiis in aquis et molendinis et cum communi pastura et omnibus aliis communibus aisiamentis terrarum mearum prenominate terre uicinarum · Tenendum de me et heredibus meis libere et quiete ab omni seruicio et exaccione seculari excepto solummodo auxilio domini regis quando scilicet ipse dominus rex commune auxilium super totum regnum posuerit · Ego uero et heredes mei totum reliquum forinsecum seruicium domini regis quod ad illam terram pertinet pro eis perpetuo faciemus · Hiis testibus ·

[1] Reg. omits *in*.

[2] Reg. omits *et*.

[3] From *Lib. Ins. Mis.* Appendix to Preface No. 9 (= *Lib. Ins. Mis.* No. 60). The original in the Dollerie Charter-chest is not available for collation. The rubric is from the Register.

Abraham Dunblanensi episcopo · domino Fergus et malisio fratribus meis · G · Archidiacono · Malisio senescallo [meo ·][1] Macbeth iudice et multis aliis.

LIII

1225. ## De pace domini regis et de natiuis fugitiuis reducendis.[2]

Alexander dei gracia Rex Scottorum · Omnibus probis hominibus tocius terre sue : Salutem · Sciatis nos domum et abbatem et Canonicos de Incheafrane[3] · et homines et terras et possessiones eorum uniuersas : sub firma pace et protectione nostra iuste suscepisse. Quare prohibemus firmiter. Ne quis eis iuiuriam uel molestiam aut grauamen aliquod iniuste inferre presumat : super nostram plenariam forisfacturam · Concessimus eciam predictis abbati et Canonicis : ut[4] ubicumque inuenire poterunt extra dominia nostra natiuos et fugitiuos homines suos qui sui de ratione esse debent : eos iuste habeant · Et prohibemus firmiter. Ne quis eos eis iniuste detinere presumat : super nostram plenariam forisfacturam · Testibus. Thoma de Striuelin Archidiacono Glasguensi. Henrico de Baillol Camerario. apud Striuelin. Octauo die Iunii. anno Regni nostri vndecimo.

LIV

nostra confirmasse deo et ecclesie sancti Iohannis apostoli et Euuangeliste de Incheaffrane · et Canonicis ibidem deo seruientibus et in perpetuum seruituris totam decimam redditus nostri de Vchterardouere · Tenendam eisdem Canonicis in liberam puram et perpetuam elemosinam · percipiendam singulis annis per manus firmariorum et Bailliuorum nostrorum de Vchterardouere · Testibus · Thoma de Striuelin Cancellario · Henrico de Baillol Camerario · Roberto Capellano · Waltero Cumin · Iohanne de haya · Willelmo de Muntfichete · Willelmo de Bruse · Waltero Bysete · Apud Clonin · terciodecimo die Augusti · anno Regni nostri duodecimo.[1]

LV

Carta de vno tofto et tribus acris in kyntochir·[2] 1226-34.

Robertus comes de stratheryn omnibus hoc scriptum visuris vel audituris salutem Nouerit vniuersitas vestra me concescisse et hac mea carta confirmasse deo et beate marie et beato Iohanni apostolo et euangeliste et Abbati et conuentui de insula missarum illas sex acras terre quas nigellus de lutoft eis dedit in territorio de Dolpatrik et illud toftum et illas tres acras terre quas henricus filius Trestram dedit eis in villa sua de kyntochir cum communi pastura quinque vaccarum et vnius equi et cum omnibus alijs communibus aysiamentis eiusdem ville ad tantam pertinentibus terram Que videlicet predicta prenominati Nigellus et henricus ultimum suum facientes testamentum memoratis Abbati et conuentui pro redempcione animarum suarum in perpetuam et liberam ab omni seruicio diuiserunt elemosinam Quare volo vt ipsi Abbas et conuentus toftum predictum et acras predictas cum prefatis pertinencijs teneant et possideant inperpetuum libere et quiete ab omni seruicio et exaccione seculari hijs testibus domino Ricardo Milite meo Dompno M · et · R · capellanis meis B de Dunyne G · de Morauia · W · clemente P · coco B · de kyntochir R decimario et Multis alijs.

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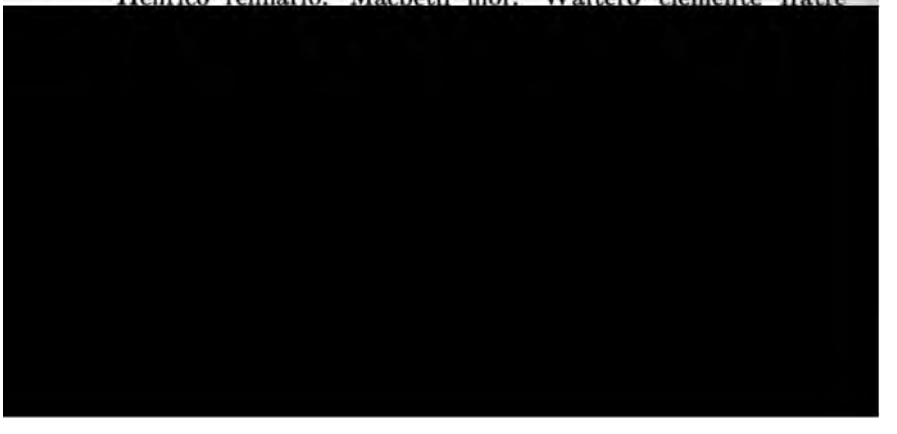
[1] Reg. *vndecimo.*

[2] Reg. (see *Lib. Ins. Mis.* No. 59).

LVI

1226-34. ## Theobaldus.[1]

Omnibus sancte Matris ecclesie filiis presens scriptum uisuris uel audituris Thebaldus filius Willelmi filii Clementis Salutem. Sciant presentes et futuri me diuine caritatis intuitu dedisse et concessisse et hac carta mea confirmasse deo et beate MARIE et beato Iohanni apostolo et euangeliste et abbati et conuentui de Insula Missarum in puram et perpetuam elemosinam unum toftum sex percatarum longitudinis et sex latitudinis cum duabus acris terre in uilla mea Petlandi · uidelicet in agro qui dicitur fitheleres flat. et cum communi pastura octo uaccarum. et sexaginta ouium. et duorum equorum et cum omnibus aliis communibus aisiamentis predicte uille. Tenendum sibi in perpetuum de me et heredibus meis. libere. quiete. plenarie. et honorifice. Ego uero et heredes mei hanc eandem elemosinam eis contra omnes homines warentizabimus et liberam et quietam ab omni onere et[2] exaccione et seruicio seculari faciemus. In huius rei testimonium huic scripto sigillum meum apposui. Vt autem hec mea donatio perpetuis rata temporibus permaneat: ad hoc assensum serenissimi domini mei Roberti comitis de stradhern impetraui. qui et in signum sui assensus hanc ipsam[3] meam donationem ad mee supplicationis instantiam sigilli sui testimonio confirmauit. Testibus. Domino fergus filio comitis. Domino Rogero de luuetoft. Domino Ricardo milite. Magistro. C. persona de Mugedha.[4] Henrico rennario. Macbeth mor. Waltero clemente fratre



uel aduituris Robertus de Meggefen Salutem. Sciant presentes et futuri me ex assensu domine Soliue uxoris mee et liberorum nostrorum dedisse et concessisse et hac carta mea confirmasse Deo et beate MARIE et beato Iohanni apostolo et euangeliste de Insula Missarum et abbati et conuentui eiusdem loci in puram et perpetuam elemosinam. duo tofta et quatuor acras terre in uilla de kenandheni que alio[1] nomine [d]ici[tur] Dolpatric. videlicet toftum in quo Alanus de kyntocher mansit eo tempore[2] quo hanc cartam meam eis dedi. cum ac[ra que] pertinuit ad idem toftum tempore predicto. et cum edificiis que tunc erant super idem toftum. et toftum et terram que [tunc i]acuerunt inter domum Ricardi et domum Malsnacht. et illam terram quam addidi eis alibi in agro ad perficiendum pre[dictas qu]atuor acras[3] et pasturam uiginti uaccarum et sexaginta ouium et duorum equorum cum omnibus aliis communibus aysiamentis prenominate uille Dolpatric. Tenendum sibi et possidendum de me et heredibus meis plenarie et honorifice. et libere et quiete ab omni exactione et seruicio seculari. Ego uero et heredes mei prefatam elemosinam predictis abbati et conuentui contra omnes homines warentizabimus et totum forinsecum seruicium quod ad iam dicta pertinuerit pro eis inperpetuum adquietabimus. Hiis Testibus Domino. R. comite de stradhern. Domino. ff. fratre ipsius. Domino. R. de luuetoft. predicta domina Soliua uxore mea. Philippo et Roberto filiis nostris.[4] magistro. C. clerico predicti comitis. R. de Dunin. Magistro. h. filio tristram. Tristram de Gortin. et Multis aliis.

LVIII

Confirmacio roberti comitis super donacione . R . de Mekfen de toftis et quatuor acris in dolpatryk.[5] 1226-34.

Robertus comes de stratheryn omnibus probis hominibus totius terre sue tam clericis quam laicis salutem sciant pre-

damaged. A few words are supplied (in brackets) from the Register. Seal in green wax, broken at edges.

[1] Reg. *ab alio.* [2] Reg. *ip̄e* (for *tpe*). [3] Reg. *Marcas.*

[4] Reg. *meis.*

[5] Reg. (see *Lib. Ins. Mis.* No. 12).

sentes et futuri me concessisse et hac carta mea confirmasse deo et beate Marie et beato Iohanni apostolo et euangeliste de insula missarum et Abbati et conuentui eiusdem loci in puram et perpetuam elemosinam duo tofta et quatuor acras terre et pasturam viginti vaccarum et sexaginta ouium et duorum equorum que dominus Robertus de Mekfen per assensum domine soliue vxoris sue et liberorum suorum eis dedit in villa de kenaydheni que alio nomine dicitur dolpatrik cum omnibus alijs communibus aisiamentis eiusdem ville Tenendas sibi et possidendas inperpetuum ita libere et quiete plenarie et honorifice sicut Idem dominus Robertus eis eadem carta sua inde facta confirmat saluo toto forinseco seruicio quod tam ipse dominus Robertus quam heredes sui pro prefatis Abbate et conuentu inperpetuum adquietabunt sicut ipse in predicta carta sua testatur hijs testibus domino R · filio lugan Milite meo · B de Dunin senescallo meo do[m]pno R capellano H · filio trestram ronnario meo G de Morauia Trestram de Gorty et multis alijs.

LIX

1230-36. ## Carta ecclesie de maddirdyn confirmatoria G episcopi.[1]

Vniuersis sancte Matris ecclesie filijs presens scriptum visuris vel Audituris G miseracione diuina ecclesie Dunkeldensis minister humilis eternam in cristo salutem Nouerit

clerici Dunkeldenses percipere consueuerunt de Abthan de Maddirdyn quam videlicet quitam clamacionem tam venerabilis predictus · H · quam capitulum Dunkeldense prefatis Abbati et conuentui caritatiue fecerunt vt hec autem nostra concessio confirmacio necnon et ratahabicio futuris temporibus inuiolata permaneat huic scripto sigillum nostrum apposuimus Testibus dominis Thoma et R capellanis nostris Magistro W Johanne R camerario · h · clericis nostris M decano A · H · R · Willelmo seruientibus nostris et Multis alijs.

LX

[Conventio inter nos et episcopum Dunblanensem.[1]] 1234.

Omnibus Sancte Matris Ecclesie filiis · presens scriptum visuris vel audituris · G. Dei gratia Dunkeldensis Episcopus · et I. et Ph: eadem gratia de Lundors et de Scon Abbates humiles · eternam in Christo Salutem · Cum mota esset controversia inter venerabilem patrem · Dominum Clementem Dunblanensem Episcopum · ex una parte · et Dominum Innocentium Abbatem et Conventum de Insula Missarum ex altera · super Ecclesijs de Aberrotheven et de Thullieden et super decimis provenientibus de redditibus et omnimodis perquisitis Domini Comitis de Stradhern que secunde decime appellantur; Que omnia idem Episcopus petebat · Dicens ea nomine Ecclesie sue ad mensam suam pertinere. Tandem per consilium proborum virorum · idem Episcopus pro se et successoribus suis · de consensu et assensu totius cleri Dunblanensis. ad quem Episcopi pertinet electio · nec non et assensu Domini Roberti Comitis de Stradhern · ejusdem sedis Patroni · Et dicti Abbas et Conventus pro se et successoribus suis in nos compromiserunt super dictis articulis · necnon et super omnibus alijs ecclesijs et possessionibus tunc temporis eis collatis et concessis · Tali pena adjecta · quod si idem Episcopus vel aliquis successorum suorum ab arbitrio nostro vellet resilire · Inprimis si quod commodum Ecclesie sue per arbitrium nostrum proveniret · illud parti adverse restitueret · et nihilominus ad fabricam pontis de Pert nomine pene ducentas

[1] Antiquaries' MS., pp. 97 and 283.

libras sterlingorum ante litis ingressum persolueret. Et Abbas et conventus vel successores sui a nostro arbitrio vell resilire · eidem ponti nomine pene trecentas libras ante l ingressum persolverent. Nos igitur partibus in nostra preser constitutis et auditis hinc inde propositis · et habito super p positis diligenti tractatu; Tandem de virorum prudent[i] consilio ita ordinavimus · videlicet · quod idem Episcopus se suisque successoribus nomine Ecclesie sue · remitteret omn actionem quam intendebat · et renunciaret omni juri q petebat vel credebat se habere super predictis · Et quod d Abbas et Conventus dicto Episcopo et successoribus sui nomine Ecclesie Dunblanensis. annuum redditum sex de librarum sterlingorum arbitrio bonorum virorum taxatum ce locis assignarent. Partes vero istud nostrum arbitrium acc tantes · ut robur perpetue firmitatis obtineret · illud in script modo cyrographi confectum redigi petierunt. Cujus alt pars sigillis nostris · una cum sigillo dicti Episcopi penes sup dictum Monasterium de Insula Missarum · altera vero simili sigillis nostris · et sigillo Capituli ejusdem Monasterij sign penes dictum Episcopum resideret. Datum Anno ab inc natione Domini M°. cc°. xxx°. iiii°. Mense Augusti.

LXI

1234 [Remissio decimarum per C. episcopum.[1]]

Vniuersis sancte matris ecclesie filiis ad quos presens script

nobis et successoribus nostris tenerentur: ex hiis decem libratas In certis locis videlicet in decimis garbarum de Tulibarden et kincardin et in quinta parte decimarum de barderel nobis et successoribus nostris inperpetuum percipiendas assignauerunt · Sex uero libratas quas nondum nobis assignauerunt: eorum parcentes inopie et paupertati domus compacientes mera pietate pro nobis nostrisque successoribus remisimus quousque In alicuius ecclesiarum istarum videlicet de strugeth · de foulis de Gask cristi · de Moytheuard · de Dunin · plenam et corporalem missi fuerint possessionem · Datum anno ab Incarnacione domini. M°· cc°· xxxiiij° · Mense augusti Hiis Testibus Domino · G · dei gracia episcopo Dunkeldensi · Domino · S · eadem gracia episcopo sodorensi. Domino · J · abbate de lundors · Domino Ph abbate de scone Domino · A · priore de abirbrothot · Domino · G · archidiacono Dunblanensi · Magistro · p · de Castro terri · Magistro · H · de bosco. Domino fergus filio comitis gilberti · Malisio fratre eius · Magistro · l · de Mothel · Magistro cristino · Magistro nigello et aliis.

LXII

[Compositionis cum episcopo Dunblanensi facte Confirmatio Papalis.[1]] 1237.

Gregorius episcopus seruus seruorum dej · Uenerabili fratri · · Episcopo Dunblanensi · Salutem et apostolicam benedictionem · Ea que iudicio uel concordia terminantur/firma debent et illibata persistere / et ne in recidiue contentionis scrupulum relabantur / apostolico conuenit munimine roborari. Significasti siquidem nobis / quod cum inter te ac clericos ecclesie Dunblanensis ex parte una / et · · Abbatem ac Conuentum de Insula Missarum Dunblanensis diocesis ex altera / super ecclesiis decimis / redditibus et rebus alijs questio suborta fuisset / tandem mediantibus bonis uiris / amicabilis inter uos compositio intercessit · quam apostolico petiisti munimine

[1] From the original, Dupplin, Bull No. 3. The Bulla remains attached by a cord of red and yellow silk. Indorsed 'Gamelinus'; below, a grotesque profile face.

roborari · Tuis igitur precibus grato concurrentes assensu/compositionem ipsam sicut sine prauitate prouide facta est et ab utraque parte sponte recepta / et hactenus pacifice obseruata/ auctoritate apostolica confirmamus / et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat / hanc paginam nostre confirmationis infringere / uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit / indignationem omnipotentis dej et beatorum Petri et Pauli apostolorum eius se nouerit incursurum. Datum viterbij · ij . kalendas Maij. Pontificatus nostri Anno vndecimo.

LXIII

1237. ## Donacio et quita clamacio terre de Drumcrok canonicis.[1]

Omnibus [hoc] scriptum visuris vel auditurus Duncanus de Melginch salutem in domino cum essem conuentus ab Abbate et conuentu de insula missarum auctoritate judicum a domino papa diligatorum videlicet domini Abbatis de Abirbrothok et de Maij prioris et hoc per quamdam cartam patris mei per quam · scilicet · dicti Abbas et conuentus vendicabant sibi medietatem totius terre de Drumkroc in parrochia de Melginch cognita autem rei veritate deum habens pre oculis nolens amplius ipsos laboribus et expensis iniuste vexari predictam terram sponte et absolute eisdem in judicio quietam clamaui

vij° hijs testibus Domino philippo Abbate et domino · h · priore de scona domino Ricardo priore de kambuskenelle et Magistro Johanne Rectore ecclesie de striuillyn Patricio filio Willelmi vicecomite de Perth et multis alijs.

LXIV

[Conventio super decimis de Petneweue.][1] 1238.

C Y R O G R A P H U M

Cum mota esset controuersia inter abbatem et conuentum de Insula Missarum petentes ex una parte. et magistrum et fratres hospitalis sanctorum Iacobi et Iohannis de Brackeley tenentes ex altera super decimis et omnibus rebus aliis quas dicti petitores sibi uendicabant de terra que dicitur Petneweue ratione ecclesie de Gasccristi. et quas dicti tenentes possidebant ratione ecclesie sue de Nesgasc. Tandem ita conuenit inter partes. quod dicti petentes remiserunt et quiete clamauerunt pro se suis que successoribus predictis tenentibus eorum que successoribus in perpetuum totum ius et totum clamum quod ipsi uel antecessores sui uel successores habent. uel habuerunt. uel habere poterunt in futuro in omnibus rebus quas ecclesia de Nesgasc tempore huius compositionis possidebat. super quibus videlicet. inter ecclesiam de Gasccristi ratione ipsius ecclesie: et ecclesiam de Nesgasc posset aliquo tempore causa uentilari. Prefati uero tenentes pro bono pacis perpetue obligauerunt se et successores suos predictis petentibus eorum que successoribus in perpetuum ad solutionem unius marce esterlingorum annuatim faciendam de decimis supradicte Petneweue ad festum sancti Martini in hyeme apud Nesgasc ipsis petentibus uel eorum certo assignato. Et ut hec conuentio et pacis reformatio firmiter et inuiolabiliter obseruetur: spontanea

[1] From the original at Magdalen College, Oxford, marked Evenley and Astwick 63. The seal of Inchaffray Abbey, obverse and reverse, in green wax, remains nearly entire. See facsimile. There is a duplicate in the same repository, marked Brackley D 126, which has no indenting, and is described by Mr. W. D. Macray as 'apparently a contemporary copy,' yet it seems to have had a seal. It has been used to complete the text where defective.

uoluntate utriusque partis statutum est. ut si altera pars ab hac conuentione et pacis reformatione temptauerit resilire: parti aduerse viginti marcas esterlingorum ratione pene persoluat. Ad maiorem etiam securitatem utraque pars iurisdictioni domini episcopi Dunblanensis qui fuerit pro tempore se subiecit. ut ipse plenariam habeat potestatem omni occasione. cauillatione. appellatione. priuilegio ecclesiastico uel ciuili competenti uel competituro remotis: constringere et compellere per censuram ecclesiasticam partem resilientem ad prefatam penam alteri parti persoluendam. et nichilominus ad predictam formam pacis obseruandam. In huius rei testimonium et securitatem una pars huius cyrographi penes dictum monasterium de Insula missarum deposita est communi sigillo fratrum predictorum de Brackeley signata. altera uero pars penes predictum hospitale de Brackeley communi sigillo dicti monasterii de insula missarum communita. Hiis Testibus. Domino Rogero de Quinci comite Wintonie constabulario scocie. Magistro dauid de Bernam domini regis camerario. Dominis Thoma de Alneto. Seero de sancto Andrea. Willelmo de Haya. Henrico biset. Duncano sibaud. militibus. Morino de kindeloch senescallo comitis. Magistro Hugone persona de lochres. Simone de Noysi persona de Ormestun. Eustagio capellano. Magistro Thoma de Man. et multis aliis. Datum anno gratie Millesimo. Ducentesimo. tricesimo. Octauo.

LXV

1238. ## Galfridus.[1]

cessiones et confirmaciones Monasterio de Incheafran quod Insula Missarum dicitur et Canonicis ibidem deo seruientibus et seruituris factas super Ecclesia de Maderdin cum omnibus pertinenciis suis et super Terra que Abthayn de Maderdin dicitur et super quieta clamacione de Chan et de Coneueth que Clerici Dunkeldenses antiquitus de eadem Abthayn percipere consueuerunt · Et cum de iure non possemus nec uellemus eorum facto honesto iniuste contraire nec pias eorum collaciones pauperi Monasterio in prima sui fundacione factas infirmare · nos eodem spiritu pietatis ducti quo et illi de consensu et assensu Capituli Ecclesie Dunkeldensis donaciones concessiones et confirmaciones dicte Ecclesie de Maderdin et predicte Abthayn et supradictam quietam clamacionem eisdem Canonicis factas ratas et gratas habentes concedimus et imperpetuum confirmamus · salua nobis et successoribus nostris vna tantummodo Marca argenti annuatim de eadem Abthayn pro omni exaccione consuetudine et servicio seculari ad nos pertinente persoluenda ad duos terminos · scilicet medietate ad Pentecosten et medietate ad festum sancti Martini sicut in predictorum Episcoporum autenticis inuenimus contineri · Concedimus eciam Abbati et Canonicis prefati Monasterij et eorum successoribus in perpetuum · ut predictam Ecclesiam de Maderdin[1] in bonis temporalibus omnimodis in usus suos proprios pro sue uoluntatis arbitrio conuertant · faciendo eidem Ecclesie[2] per idoneum Capellanum uel si maluerint per aliquem Canonicum de suo collegio deseruiri · saluis Episcopalibus · In huius rei testimonium huic scripto sigillum nostrum apposuimus · Datum apud Dunkelden anno gracie Millesimo ducentesimo tricesimo octauo Pridie kalendas Ianuarii Pontificatus nostri anno tercio · Testibus · Domino Adam de Prebenda Decano Ecclesie Dunkeldensis · Magistro Petro de Castro Theodorico eiusdem Ecclesie Precentore · Magistro Willelmo de Edenhame eiusdem sedis Archidiacono Domino Roberto Thesaurario · Domino Willelmo Subdecano · Domino Malcolmo Succentore · Magistro Roberto de Laycestria concanonico[3] nostro et aliis.

[1] Reg. *Maddirnyn* (in other clauses *Maddirdyn*).

[2] *Sic* in Reg.; the old edition has *eandem ecclesiam*, and below *cuius* for *huius*.

[3] Reg. *canonico*.

LXVI

1238/9. ## Carta decani dunkeldensis ecclesie.[1]

Omnibus cristi fidelibus hoc scriptum uisuris uel audi
Adam de Prebenda Decanus Dunkeldensis et eiusdem E
Capitulum eternam in cristo salutem · Noueritis nos p
inspectis instrumentis venerabilium Patrum · Iohannis
Ricardi · Iohannis secundi · Hugonis · Gilberti et G
Episcoporum Dunkeldensium super donacionibus · conce
bus · confirmacionibus suis factis pauperi Monaster
Incheaffrane quod Insula Missarum dicitur super Eccle
Maderdine[2] · et super terra que Abthain de Ma
dicitur · et super quieta[3] clamacione de chan et de Cune
que Clerici Dunkeldenses antiquitus percipere consue
de eadem Abthayn mere caritatis intuitu unanimo assen
dictas donaciones · concessiones · confirmaciones · et qui
clamacionem concessisse et hac carta nostra confirmasse
in memoratis autenticis plenius repperimus contineri ·
licet · ut Ecclesiam de Maderdin in bonis tempor
omnimodis pro sue uoluntatis arbitrio in usus suos pr
conuertant · faciendo eidem Ecclesie per idoneum Capel
uel si maluerint per aliquem sue congregacionis cano
deseruiri · saluis episcopalibus · Et predictam Abthay
omnibus iustis pertinenciis suis teneant et possideant ·
dendo inde annuatim domino Episcopo Dunkeldensi qui

posit de eadem · Recipientes eos in perpetuam fraternitatem · et Ecclesie nostre beneficiorum spiritualium participium[1]: salua nobis et successoribus nostris vna libra Incensi ad Pentecosten annuatim ab eis[2] persoluenda · nomine fraternitatis gratis concessa · In huius rei testimonium Commune sigillum Capituli Ecclesie nostre huic scripto apposuimus · Teste Capitulo Datum apud Dunkeldene anno gracie · M° · cc°. xxx° · octauo · quarto Nonas Ianuarij.

LXVII

Confirmacio capituli de Dunblan . de ecclesiis nostris in proprios vsus reuocandis [?] et de taxacione vicariarum.[3]

1239/40.

Omnibus hoc scriptum visuris uel audituris Decanus et Capitulum Dunblanensis Ecclesie Eternam In domino salutem. Nouerit vniuersitas vestra quod Inspectis Instrumentis collacionum et confirmacionum venerabilium patrum · Ionathe · et Abrahe quondam Dunblanensium Episcoporum necnon et venerabilis patris nostri Clementis dei gracia Eiusdem loci episcopi super Ecclesiis quas in Diocesi Dunblanensi Monasterium de Incheaffran possidet · De consensu Cleri Dunblanensis quondam concessis: per que optinuit Omnes prouentus et fructus Ecclesiarum · De strugeth · De hucterardouer · De kinkelle · De Aberrotheuen · De Dunyn · De Gaske cristi · De faulis · De Moytheuard · De Tulieden · De kellebride · In vsus dicti Monasterii In perpetuum counertendos: salua porcione vicariorum et Taxacione vicariarum Inferius notanda · Et saluis hiis que pro sexdecim libris Domino · C· Dunblanensi episcopo Et eius successoribus In decimis garbarum · De Tulibardin · kyncardin · Barderel · et Ogeluin · ab abbate et conuentu dicti Monasterii sunt concessa: propter quamdam controuersiam Inter dictum venerabilem patrem nostrum · C · Dunblanensem Episcopum ex vna parte · et

[1] So also Reg. The former edition has *participationem*.

[2] Reg. *eisdem*.

[3] From the original, Dupplin, No. 26 (i). Seal gone; tag remains. See facsimile.

abbatem et conuentum dicti Monasterii ex altera subortam: Necnon et saluis decimis garbarum De Rossyn et strathyn · De strugeth et Arneluoy[1]. De panan et Ruuehalache · pro viginti marcis arbitrio bonorum virorum: archidiaconatui Ecclesie Dunblanensis construende: deputatis · Saluis eciam similiter Decimis garbarum de Huctermaffiny · et ville de fedale spectantis ad Ecclesiam de hucterardouer assignatis ad vnam prebendam construendam In ecclesia Dunblanensi a predicto abbate et conuentu de Incheafran: Ipsorum venerabilium patrum concessiones et confirmaciones super Dictis Ecclesiis In vsus proprios dicti Monasterii conuertendis: vnanimi et sollempni voluntate et consensu concessimus et confirmauimus · Preterea Taxacionem vicariarum dictarum ecclesiarum que Interueniente consensu vtriusque partis tam per venerabiles patres · Glasguensem · et Dunkeldensem Episcopos · quam per venerabilem patrem nostrum · C · Dunnenblasem Episcopum facta est: Inspecta vtilitate ecclesie nostre vnanimi consensu nostro sicut Melius et plenius in autentico super premissa taxacione per ipsos · confecto continetur: Ratam Gratamque habentes concessimus et confirmauimus · Et sigilli nostri apposicione vna cum Manuum nostrarum subscripcione presens scriptum communiuimus. Datum apud Dunblaan anno gracie · Millesimo ducentesimo tricesimo nono · Die dominica proxima ante purificacionem beate virginis.

Ego · W · Decanus Dunblanensis subscribo.

salute anime mee et antecessorum meorum concessisse et hac presenti carta confirmasse · Donacionem illam quam dauid de haya pater meus fecit deo et beate marie et sancto Iohanni apostolo et canonicis de Incheaffran ibidem deo seruientibus et seruituris: de quatuor bollis frumenti percipiendis annuatim eisdem canonicis. Preterea dedi et concessi pro salute anime mee et antecessorum meorum deo et ecclesie sancti Iohannis de Incheaffran et canonicis ibidem deo seruientibus et seruituris: quatuor bollas frumenti annuatim percipiendas In terra mea de Inchemichel · vnde uolo et concedo ut dicte quatuor bolle frumenti quas habent de dono patris mei et alie quatuor bolle frumenti quas eisdem canonicis dedi et concessi: singulis annis Inperpetuum ab eisdem canonicis recipiantur In terra mea de Inchemichel · Ita ut dicti canonici singulis annis Inperpetuum habeant Integram dimidiam celdram frumenti In dicta terra mea de Inchemichel · scilicet quatuor bollas ante natale domini et quatuor bollas ante festum purificacionis beate uirginis. In cuius rei testimonium huic scripto sigillum meum apposui. Datum apud Incheaffran vigilia ascessionis [*sic*] domini anno gracie M° · cc° · quadragesimo · Hiis testibus · Domino Malcolmo de haya auunculo meo · Domino Willelmo de haya fratre meo · Bricio de ardrossan · Iohanne de fentone · ada hylde · Roberto de haya · et aliis.

LXIX

Carta Willelmi de laicestria de Perth.[1] 1240.

Omnibus hoc scriptum visuris vel audituris Ricardus de laycestria burgensis de perth eternam in domino salutem Nouerit vniuersitas vestra me pro salute anime mee et an[te]cessorum meorum dedisse concessisse et hac carta mea confirmasse deo et beate marie et beato Iohanni Apostolo et euangeliste de Inchaffrin et canonicis ibidem deo seruientibus et seruituris in puram et perpetuam elemosinam totam illam terram que me contingit de terra Iohannis filij dauid que quidem terra jacet inter terram quondam Dauid filij Galfridi

[1] Reg. (see *Lib. Ins. Mis.* No. 42).

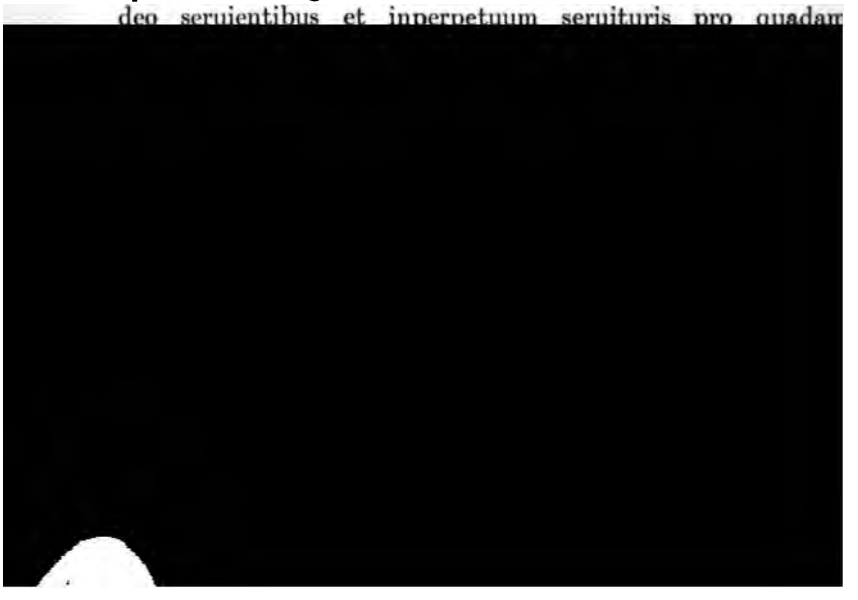
et terram Abbatis et conuentus de scona quam terram Willel mus filius hawok · tenet de me et meis attornatis sibi e heredibus suis Tenendam et habendam sibi et successoribu suis inperpetuum ita libere et quiete sicut aliquod burgagiun in villa de Perth liberius quiecius ab aliquo tenetur vel possi detur salua conuencione predicti Willelmi filij hawoch d sexdecim solidis de predicta terra michi et attornatis meis d se et heredibus suis annuatim reddendis e[t] saluo seruicic domini Regis In cuius rei testimonium huic scripto sigillun meum vna cum sigillo communi de Perth apponi feci hij testibus Magistro Roberto de laycistria domino henrico filic Galfridi domino Iohanne de Batalia Johanne sokyn Dauic yep Galfrido de len henrico de bedford et alijs[1] actum apud Perth die saboti prima post festum sancti Nicholai Annc gracie Millesimo cc^mo quadragesimo.

LXX

Carta terre de Perthe.[2]

c. 1245.

Omnibus hoc scriptum visuris vel audituris Willelmus filius hawok de perth salutem eternam in domino Noueritis me dedisse concessisse ac quitum clamasse pro me et heredibus meis inperpetuum deo et beate Marie et sancto Iohanni apostolo et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris pro quadam



suetum Ego vero et heredes mei dictam donacionem dictis canonicis et eorum successoribus contra omnes homines et feminas inperpetuum warantizabimus et defendemus In cuius rei testimonium presens scriptum sigilli mei inpressione roboraui hijs testibus Iohanne kokyn Iohanne de labatil Iohanne Albot Nicholao de scardbrow Willelmo de Dunde Andrea teket henrico de bedford Ricardo de berewik et multis alijs.

LXXI

Carta Willelmi filij hauyk de terra de Perthe.[1] *c.* 1245.

Omnibus cristi fidelibus hoc scriptum visuris vel audituris Willelmus filius hawoc burgensis de Perth salutem eternam in domino Noueritis me dedisse concessisse et hac presenti carta mea confirmasse pro me et heredibus meis inperpetuum deo et beate Marie et sancto Iohanni apostolo et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris pro quadam summa peccunie quam michi pre manibus in mea magna necessitate dederunt totam terram quam tenui de Abbate et conuentu de scona in villa de Perth in via boriali et totum jus quod habeo et quod michi et heredibus meis competere poterit infuturum in terra predicta Tenendam et habendam ipsis canonicis de insula missarum et eorum successoribus inperpetuum libere quiete plenarie et honorifice Reddendo inde annuatim ipsis Abbati et conuentui de scona firmam quam ego eis soluere consueui · videlicet · quinque solidos ad duos anni terminos medietatem · scilicet ad Penticosten et aliam medietatem ad festum sancti Martini in yeme pro omni seruicio seculari consuetudine exaccione et demanda saluo seruicio domini Regis In cuius rei testimonium huic scripto sigillum meum apposui Hijs testibus Willelmo de Dunde Andrea Teket Martino de lene henrico Tenteman Nicholao de scardborow henrico de bedford Malisio treisdeneris et Multis aliis.

[1] Reg. (see *Lib. Ins. Mis.* No. 40).

LXXII

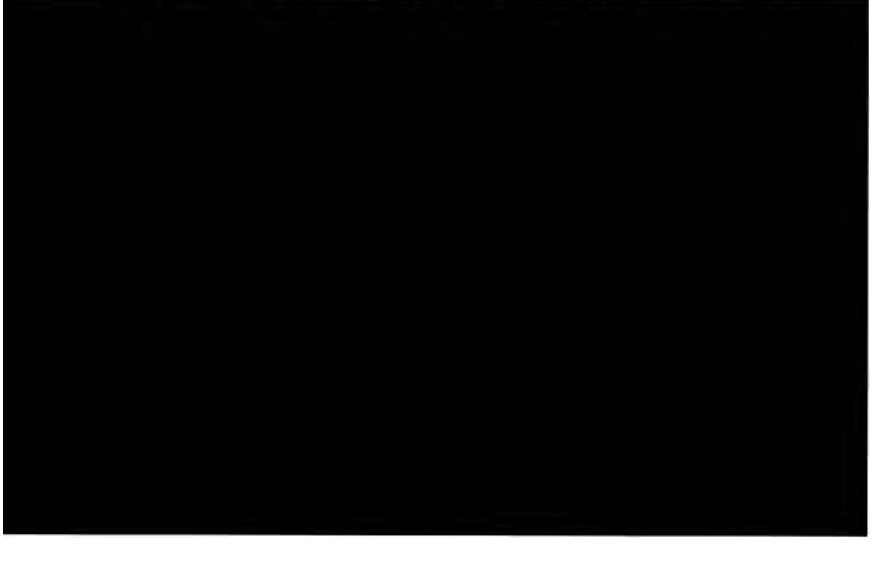
c. 1245. **Carta de scona de terra Willelmi filij hauoch.**[1]

Uniuersis sancte matris ecclesie filijs hoc scriptum visuris vel audituris Robertus dei gracia abbas de scona et eiusdem loci conuentus humilis salutem in domino eternam noueritis nos communi consensu et voluntate capituli nostri illam vendicionem quam Willelmus filius hawoch de Perth viris religiosis abbati et conuentui de Insula missarum fecit ratam et firmam habentes presentis scripti nostri munimine roborasse volentes et concedentes quod dicti Abbas et conuentus dictam terram de nobis et successoribus nostris inperpetuum libere et quiete teneant et possideant faciendo nobis Idem seruicium quod prefatus Willelmus facere consueuit scilicet reddendo nobis quinque solidos annuatim medietatem ad Penticosten et medietatem ad festum beati Martini pro omni seruicio seculari saluo forinseco seruicio domini Regis Et nos predictam terram eisdem Abbati et conuentui contra omnes homines warantizabimus et defendemus In cuius rei testimonium hoc scriptum sigillo nostro communi roborauimus · Teste capitulo.

LXXIII

c. 1246. **Collacio Gillecrist de ecclesia de kelmurth · In vita rectoris eiusdem.**[2]

Omnibus cristi fidelibus presens scriptum visuris uel audi-



omnibus iustis pertinentijs suis tenendam et habendam Sibi de me et heredibus meis In perpetuum · Ita libere quiete plenarie et honorifice · sicut aliquis baro tocius regni scocie liberius · plenarius . quietius aliquam ecclesiam dare potest uel conferre · Vt autem ista mea donatio firma et inconcussa iugiter permaneat: presens scriptum sigilli mei munimine roborauj · Hiis testibus · Domino Ioachim milite de kenbuc · domino malisio auunculo domini · M · comitis de stratherin · Tristram de gortin · Iohanne melulath · Willelmo filio hauoc et Johanne albo burgensibus de pert et multis allija.

LXXIV

Donum Gillecrist Mac Nathen de Kelmorch.[1] c. 1247.

Omnibus cristi fidelibus Presens scriptum visuris uel audituris · Gilcrist filius Malcolmi Mac nacthan salutem · Nouerit vniuersitas vestra Me diuine pietatis Intuitu pro salute anime mee et vxoris mee bethoc et parentum · antecessorum ac heredum meorum dedisse Concessisse · et hac Carta mea confirmasse · In puram et perpetuum elemosinam deo et Beate Marie et Beato Iohanni apostolo et Ewangeliste de Insula missarum · et Canonicis ibidem deo seruientibus et Inperpetuum seruituris · Ecclesiam de kelmurkhe Cum Omnibus Iustis pertinenciis[2] suis · Tenendam sibi et habendam Inperpetuum · Ita libere plenarie · Quiete · et honorifice · sicut aliquis baro tocius regni scocie liberius · plenarius · Quiecius · aliquam Ecclesiam dare vel Conferre potest. vt autem ista mea donacio firma et Inconcussa Iugiter permaneat presens scriptum sigilli mei munimine vna Cum sigillo venerabilis patris · C · dej gracia dunblanensis Episcopi · tempore huius collacionis curam episcopatus argadie optinentis: roborari procuraui · hiis testibus domino Ioachim milite de kynbuc · Domino · Malisio auunculo domini Comitis de stratherin · Tristrem de gorti · Johanne Melulath · Willelmo filio hauoc · et Iohanne albo Burgensibus de pert et multis aliis.

[1] From the original, Dupplin, No. 9. The granter's seal in green wax is entire, attached by cords of yellow silk. The bishop's seal is lost; its tag remains. See facsimile.

[2] Orig. *pertinenenciis.*

LXXV

c. 1247. **Carta de una celdra farine de ouchtirmachan.**[1]

Omnibus hoc scriptum visuris vel audituris ffergusius filius Gilberti quondam comitis de stratheryn salutem in domino Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta mea confirmasse de me et heredibus meis deo et sancto Johanni apostolo et euangeliste de insula missarum et Abbati et canonicis ibidem deo seruientibus et seruituris inperpetuum vnam celdram farrine auene in villa de ouchtirmakan sibi et successoribus suis inperpetuum de me et heredibus meis per manus firmarij mei eiusdem ville annuatim percipiendam pro salute anime mee amicorum et antecessorum meorum et ad securitatem solucionis dicte farine dictis Abbati et canonicis ad festum sancti Johannis Baptiste in estate sine aliqua cauelacione annuatim faciendam me et heredes meos obligo inperpetuum In huius rei testimonium sigillum meum vna cum sigillis venerabilis patris C · Dunblanensis episcopi et domini M · comitis de stratheryn huic scripto apponi procuraui hijs testibus C dei gracia episcopo Dunblanensi M comite de stratheryn Magistro l · decano Dunblanensi Bricio de Dunyn Thoma clerico meo Malisio nepoti meo et alijs.

LXXVI

missarum ad solucionem decimarum Omnium reddituum et Canorum nostrorum In frumento · farina · brasio · grano · Caseis · Carnibus · piscibus · auibus · venacionibus · et Omnibus cibariis que In curia nostra annuatim expendentur :[1] sicut In carta et Confirmacione predictorum Comitum predecessorum nostrorum prenominatis[2] Canonicis Inde confectis plenius continetur · et Quamuis idem Canonici In plena et pacifica predictarum decimarum omnium per multa tempora fuerint possessione : Nobis tamen quod minus plene eas per defectum · balliuorum nostrorum aliquando receperint :[3] quam sepius grauem deposuerunt querelam · vnde quia pia vota parentum nostrorum nobis non licet aliquo modo Infringere : Set pocius ea diuina annuente disposicione · illius non Inmemores qui omnium bonorum pius est retributor aumentare · et pio desiderio eadem confirmare · hinc est quod predictis canonicis pro decimis superius nominatis · quas singulis annis ante annum · domini · M · cc · xl · vij · In curia nostra iuste consueuerunt percipere viginti quatuor Marcas annuatim percipiendas · videlicet · xx^ti · marcas de firma nostra apud dunin · et quatuor marcas de abberrufuin In vita comitisse matris nostre · quas eisdem post decessum eiusdem · nos uel heredes nostri In alio certo loco et competenti soluemus · medietatem ad pentecosten et aliam medietatem ad festum beati martini In hyeme · quousque nobis uel heredibus nostris quocumque Iure vberiora bona acreuerint : assignauimus[4] · Ceteris articulis omnibus tam In cartis Gilberti aui nostri quam in confirmacione Roberti patris nostri contentis : In suo robore duraturis · Volentes eisdem canonicis secundum bonorum nostrorum aumentum :[5] decimarum suarum augeri porcionem · Et ne predictos canonicos per defectum dicti redditus suis terminis non soluti contingere possit in posterum Quacumque calliditate grauari : Nos et bona nostra vniuersa · Iurisdiccioni episcopi dunblanensis qui pro tempore fuerit : subiecimus · vt nos et balliuos nostros ad solucionem predicte peccunie sicut predictum est · Quacumque Censura ecclesiastica decreuerit monicione premissa : possit compellere. In cuius testimonium huic scripto sigillum nostrum apposuimus · Et ad maiorem securitatem sigillum

[1] Reg. *expendantur.* [2] Reg. omits *prenominatis.* [3] Reg. *receperunt.*
[4] Reg. *assignamus.* [5] Reg. *annuatim.*

venerabilis patris nostri · C · dei gracia dunblanensis epi eidem apponi procurauimus · hiis testibus venerabili nostro[1] · C · dei gracia dunblanensi episcopo · nobilibus domino Ioachim de kynbuc · et domino Gilberto de rot militibus · domino Malisio auunculo domini · M · Com Tristrem de gorti alano maresscallo dicti Comitis · sun leth · et multis aliis.

LXXVII

1247. ## De decimis malisii comitis capiendis de than de dunyn.[2]

· M ·[3] comes de stratheryn dilecto et fideli suo Bricio t de dunin salutem · Noueris · nos dominum[4] abbatem et uentum de inchafran ad viginti marcas apud dunin de nostra medietatem ad festum sancti martini · et aliam n tatem ad pentecosten singulis annis percipiendas assig Quare uolumus et precipientes firmiter mandamus · qua nulli balliuorum nostrorum siue nulli alicui alij nisi tar modo abbati et canonicis de inchafran uel eorum assigna predictis viginti marcis ad predictos terminos persolue studeas respondere · Et ut maiorem circa solutionem adh diligenciam : statuentes precipimus · quod si infra oct diem predictorum terminorum a solutione dictorum d orum cessaueris : penam · xx · solidorum qualibet septi post predictum octauum diem apud nos incurras · In h rei testimonium sigillum nostrum presenti scripto p

fratri . . Episcopo Brechinensi. Salutem et apostolicam benedictionem. Ex parte dilectorum filiorum . . Abbatis et Conventus Monasterij de Insula missarum ordinis sancti Augustini Dumblanensis diocesis fuit nobis humiliter supplicatum. ut cum tam ipsi quam predecessores eorum possessiones redditus et quedam alia bona ipsius Monasterij datis super hoc litteris et interpositis iuramentis necnon et penis adiectis quibusdam clericis et laicis ad uitam nonnullis uero in perpetuum sub annuo censu concesserint in enormem ipsius Monasterij lesionem prouidere sibi super hijs de benignitate sedis apostolice curaremus. Cum igitur persone delictum non debeat in dampnum ecclesie redundare fraternitati tue per apostolica scripta mandamus. quatinus ea que de bonis predicti Monasterij per concessiones huiusmodi alienata inueneris illicite uel distracta / non obstantibus premissis et etiam litteris confirmationis sedis apostolice in communi forma obtentis · ad ius et proprietatem eiusdem Monasterij studeas legitime reuocare. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Datum Lugduni v Idus Julii. Pontificatus nostri Anno Sexto.

LXXIX

[Commissio Innocentii IV. Pape de compositione cum episcopo Dunblanensi.[1]] 1248.

Innocentius episcopus seruus seruorum dei. venerabili fratri . . Episcopo Brekinensi Salutem et apostolicam benedictionem. Sua nobis . . Abbas et Conventus de Insula missarum ordinis sancti Augustini petitione monstrarunt. quod cum inter ipsos ex parte una et venerabilem fratrem nostrum . . Dublanensem Episcopum super de Strugeth et quibusdam alijs ecclesijs diocesis Dublanensis ex altera exorta fuisset materia questionis. tandem mediantibus bonis viris amicabilis inter eos compositio interuenit. quam apostolico petierunt munimine roborarj. Quocirca fraternitati tue per apostolica

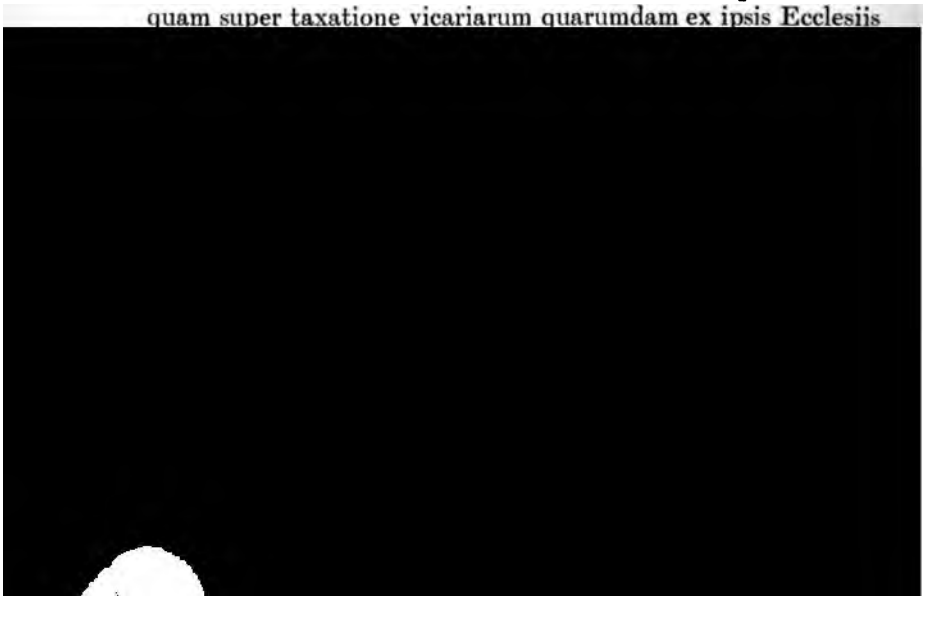
[1] From the original, Dupplin, Bull No. 5. The Bulla is lost, but the holes in the parchment bored for its string remain.

scripta mandamus. quatinus compositionem eandem sicut prouide et rite ac sine prauitate facta est et ab utraque parte sponte recepta et hactenus pacifice obseruata / facias auctoritate nostra appellatione remota firmiter observarj. Datum Lugduni vi Idus Augusti. Pontificatus nostri Anno Sexto.

LXXX

1250. [Confirmatio Innocentii IV. Pape super ordinatione judicum delegatorum.[1]]

Innocentius Episcopus servus servorum Dei. Dilectis filijs Abbati et Conventui de Insula Missarum. Ordinis Sancti Augustini Dumblanensis Diocesis Salutem et apostolicam benedictionem. Ex parte vestra fuit propositum coram nobis. Quod venerabilis frater noster Dumblanensis Episcopus olim dari optinuit venerabilibus fratribus nostris Glasguensi et Dunkeldensi[2] Episcopis Apostolicis literis in mandatis. ut quartam partem decimarum omnium Ecclesiarum parochialium Dumblanensis diocesis eidem Dumblanensi Episcopo facerent assignari. cumque idem Dumblanensis Episcopus coram dictis Episcopis quartam decimarum huiusmodi sibi juxta tenorem mandati Apostolici peteret assignari. vobis ipsi Episcopo in hujusmodi petitione obsistentibus. tandem utraque pars voluntarie ordinationi dictorum Episcoporum tam super quarta decimarum Ecclesiarum ad monasterium vestrum spectantium. quam super taxatione vicariarum quarumdam ex ipsis Ecclesiis



pensationem hujusmodi gravaminis modestam vicariarum in quibusdam Ecclesijs vestris taxationem. et ut in quibusdam alijs ecclesijs non per vicarios sed per capellanos serviatur idoneos provide statuerunt. prout in ipsorum literis super hijs confectis plenius continetur. Nos igitur vestris supplicationibus inclinati. quod super premissis a prenominatis Glasguensi et Dunkeldensi Episcopis provide factum est. et in alterius prejudicium non redundat ratum habentes et gratum. id auctoritate apostolica confirmamus. et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere. vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit. indignationem omnipotentis Dei et beatorum Petri et Pauli Apostolorum ejus se noverit incursurum. Datum Lugduni viiij. Kalendas Maij. Pontificatus nostri anno septimo.

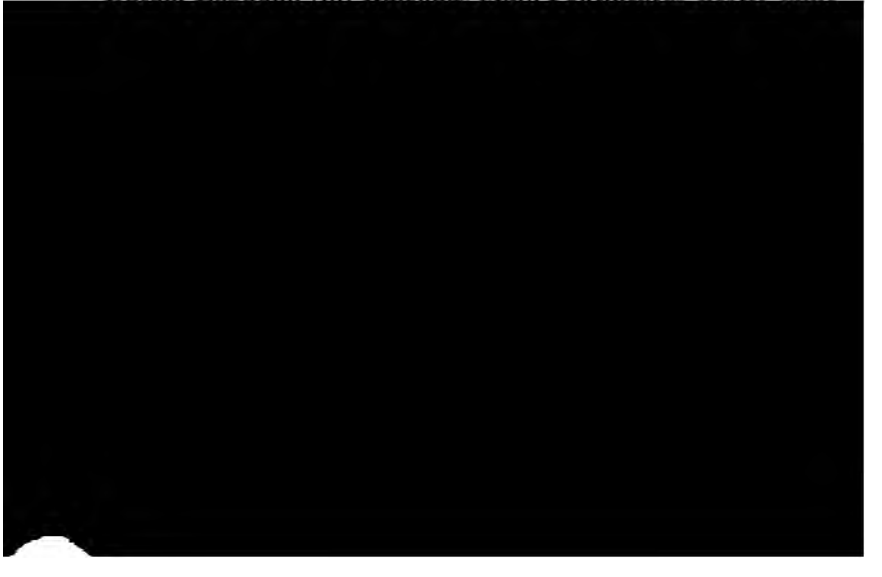
LXXXI

[Commissio super confirmatione precedente.[1]] 1250.

Innocentius Episcopus servus servorum Dei. dilectis filijs Abbati de Scona Sancti Andree Diocesis et Priori Sancti Andree Salutem et apostolicam benedictionem. Ex parte dilectorum filiorum Abbatis et Conventus de Insula Missarum Ordinis Sancti Augustini Dumblanensis diocesis fuit propositum coram nobis quod venerabilis frater noster Dumblanensis Episcopus olim dari optinuit venerabilibus fratribus nostris Glasguensi et Dunkeldensi Episcopis apostolicis litteris in mandatis ut[2] quartam partem decimarum omnium Ecclesiarum parochialium Dumblanensis diocesis eidem Dumblanensi Episcopo facerent assignari. Cumque idem Dumblanensis Episcopus coram dictis Episcopis quartam decimarum hujusmodi sibi juxta tenorem mandati apostolici peteret assignari. dictis Abbate et Conventu[3] eidem Episcopo in hujusmodi petitione obsistentibus. tandem utraque pars voluntarie ordinationi dictorum Episcoporum tam super quarta decimarum Ecclesiarum ad monasterium dictorum Abbatis et conventus spectan-

[1] From the Antiquaries' MS., pp. 100 and 285.
[2] MS. *in*. See the preceding Bull. [3] MS. *Abbati et Conventui*.

tium. quam super taxatione vicariarum quarundam ex ipsis Ecclesijs et ordinatione quarundam aliarum Ecclesiarum eorundem nimis exilium et ad deserviendum facilium. juramento hinc inde prestito se submisit. Qui demum ordinaverunt quod ijdem Abbas et Conventus viginti marcas pro una dignitate et decem pro una prebenda instituendis de novo in Ecclesia Dumblanensi in certis et competentibus locis singulis annis exolvant. per quod a solutione predicte quarte decimarum omnium Ecclesiarum ipsorum esse debent omni tempore liberi [1] et immunes. Ceterum quia per ordinationem hujusmodi ipsorum monasterium in solutione hujusmodi pecunie nimium videbatur esse gravatum. in recompensationem hujusmodi gravaminis. modestam vicariarum in quibusdam Ecclesijs eorundem taxationem. et ut in quibusdam alijs Ecclesijs non per vicarios sed per capellanos serviatur idoneos provide statuerunt. prout in ipsorum litteris super hijs confectis plenius continetur. Nos igitur eorundem Abbatis et Conventus supplicationibus inclinati. quod super premissis a prenominatis Glasguensi et Dunkeldensi Episcopis provide factum est. et in alterius prejudicium non redundat ratum habentes et gratum. id auctoritate apostolica duximus confirmandum. Quocirca discretioni vestre per apostolica scripta mandamus. quatenus eosdem Abbatem et Conventum contra confirmationis nostre tenorem super hijs non permittatis ab aliquibus indebite molestari. Molestatores hujusmodi per censuram Ecclesiasticam appellatione postposita compescendo. Datum Lugduni. viiii Kalendas Maii. Pontificatus nostri anno



Glasguensi Salutem et apostolicam benedictionem. Peruenit ad audientiam nostram. quod tam dilecti filij . . Abbas et Conventus de Insula missarum ordinis sancti Augustini Dumblanensis diocesis / quam predecessores eorum / terras / Maneria / pensiones / redditus / possessiones et quedam alia bona ipsius Monasterij nonnullis clericis et laicis quibusdam eorum ad uitam / aliquibus uero perpetuo / et alijs ad non modicum tempus ad firmam / uel sub censu annuo concesserunt. datis super hoc litteris / penis adiectis et interpositis iuramentis in eiusdem Monasterij non modicam lesionem. quorum aliqui super hijs in forma communi a sede apostolica confirmationis litteras impetrarunt. Cum igitur ad nostrum spectet officium lesis ecclesiis subuenire / discretioni uestre per apostolica scripta mandamus: quatinus ea que de bonis ipsius Monasterij per concessiones huiusmodi alienata inueneritis illicite uel distracta / non obstantibus litteris / penis / iuramentis / et confirmationibus supradictis / aut quod aliqui ex indulto apostolico excommunicari / seu interdici nequeant uel suspendi / ad ius et proprietatem eiusdem Monasterij studeatis legitime reuocare. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se gratia / odio uel timore subtraxerint / per censuram eandem appellatione cessante cogatis ueritati testimonium perhibere. Datum Perusij vj Idus Junij. Pontificatus nostri Anno Nono.

LXXXIII

Carta de abirbrothok.[1] 1252.

Omnibus cristi fidelibus presens scriptum visuris vel audituris Willelmus dei gratia Abbas de Arbrothok et eiusdem loci conuentus eternam in domino salutem Nouerit vniuersitas vestra nos communi assensu et consensu tocius capituli nostri dedisse concessisse et hac carta nostra confirmasse deo et ecclesie sancti Iohannis apostoli et euangeliste de insula missarum et Abbati et conuentui ibidem deo seruientibus et inperpetuum

[1] Reg. (see *Lib. Ins. Mis.* No. 38).

seruituris omnes terras domus et possessiones quas Willelmu filius Rayngod in villa de Abirbrothok De nobis tenuit et possedi quas quidem terras Idem Willelmus pro se et heredibus sui nobis in plena curia de Abirbrothok reddidit et quitun clamauit necnon et totum Ius quod ipse vel heredes sui i dictis terris habuerunt vel h[ab]ere poterint Tenendas e habendas dictis Abbati et conuentui in liberum burgagiun cum omnibus libertatibus et aysiamentis rectitudinibus a dictum burgagium infra villam et extra villam Iuste per tinentibus adeo libere quiete et plenarie sicut dictus Willelmu vel predecessores sui dictas terras de nobis tenuerunt ve possiderunt salua tamen quod dictas terras viris religiosi quibuscu[n]que vel aliquibus alijs nullo titulo nisi de special nostra licencia vendent vel alienabunt In cuius rei testi monium huic scripto sigillum nostrum comune apposuimu et ad maiorem securitatem sigillum ville nostre de Abir brothok fecimus apponi Teste capitulo nostro Datum ann domini Millesimo cc^mo quinquagesimo secundo / v^o Idus nouem bris Apud Abyrbrothok.

LXXXIV

1256. [Commissio Alexandri IV. Pape ad bona monasteri recuperanda.[1]]

Alexander episcopus seruus seruorum dej · Dilectis filiis · Abbati et · · Priori de Sacro nemore ordinis Premonstratens

penis / et interpositis iuramentis : in enormen lesionem ecclesie supradicte · quorum aliqui dicuntur / super hijs a sede apostolica in communi forma confirmationis litteras impetrasse · Quia uero nostrum est lesis ecclesijs et Monasterijs subuenire : discretioni uestre per apostolica scripta mandamus : quatinus ea que de bonis eiusdem ecclesie / per concessiones huiusmodi alienata inueneritis illicite uel distracta / non obstantibus penis litteris / iuramentis / et confirmationibus supradictis / ad ius et proprietatem ipsius legitime reuocare curetis · Contradictores per censuram ecclesiasticam appellatione postposita compescendo · Testes autem qui fueriut nominati si se gratia odio uel timore subtraxerint / censura simili appellatione cessante cogatis ueritati testimonium perhibere · Datum Anagnie iiij kalendas Septembris. Pontificatus nostri Anno Secundo.

LXXXV

Donum Athe macnachtan super ecclesia de Inchalt.[1] 1257.

Omnibus cristi fidelibus presens scriptum visuris uel audituris · · Ath filius malcolmi macnauchtan salutem In domino sempiternam · Nouerit vestra vniuersitas · Me diuine caritatis Intuitu · ex assensu et voluntate domini Gilleberti fratris mei Militis · et pro salute animarum nostrarum et antecessorum nostrorum et heredum nostrorum · Dedisse et concessisse et hac Carta mea confirmasse · Deo Et beate Marie · et Sancto Iohanni apostolo Et Euangeliste de Insula missarum · Et Abbati et Canonicis Ibidem Deo seruientibus · et in perpetuum seruituris · Ecclesiam sancte findoce de Inchealt · Ergadiensis diocesis · cum omnibus Iustis pertinencijs suis · Cum decimis · obuencionibus et oblacionibus · Et cum communi pastura · Et omnibus aliis aysiamentis · ad predictam ecclesiam pertinentibus · Nec non et totum Ius quod in eadem ecclesia habui uel habere potero · de me et successoribus meis · Eisdem abbati et canonicis contuli caritatiue · Tenendam et possidendam sibi et successoribus suis

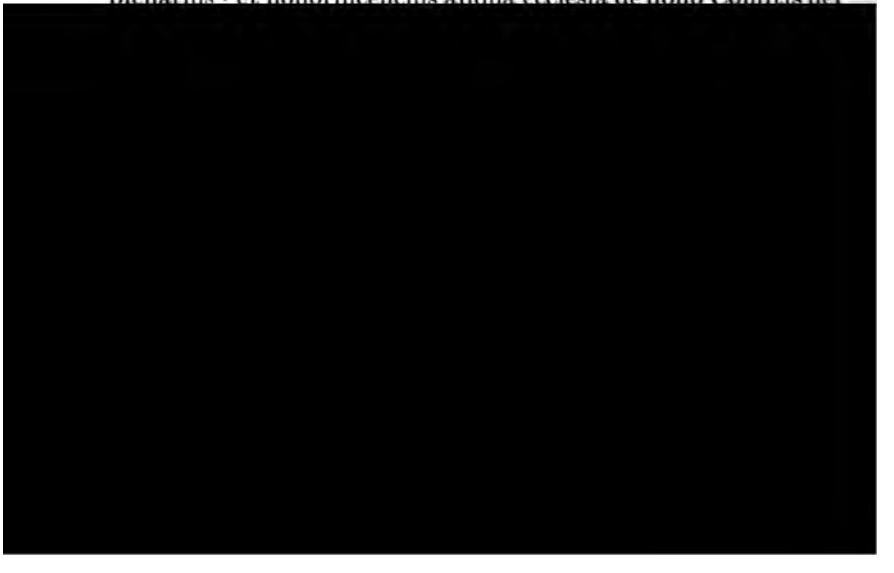
[1] From the original, Dupplin, No. 5. The granter's seal in white wax, entire, the other seal lost; its tag remains.

In puram et perpetuam elemosinam · Adeo libere et quiete · plenarie et honorificencie · sicut aliqua Ecclesia in toto regno scocie · Ex dono alicuius viri nobilis liberius · quiecius · plenarius et honorificencius Tenetur et possidetur. In Cuius rei testimonium huic scripto patenti sigillum meum vna cum sigillo domini · G · fratris Mei ex mera consciencia et voluntate nostra sunt appensa · Datum anno domini · M° · cc° · l · septimo · In festo apostolorum petri et pauli.

LXXXVI

1257. ## De ecclesia de Cortaky.[1]

Vniuersis sancte Matris ecclesie filiis presens scriptum uisuris uel audituris. Malisius Comes de stratherne salutem Eternam In domino Nouerit vniuersitas uestra nos pro salute anime nostre et antecessorum nostrorum et heredum nostrorum dedisse concessisse et hac carta nostra confirmasse. deo et Beate Marie · et sancto Iohanni apostolo et Ewangeliste de Insula missarum · et abbati et conuentui eiusdem loci aduocacionem ecclesie de Cortachyn Breyhynnensis diocesis · In perpetuum ad sustentacionem canonicorum deo seruiencium in predicto monasterio. Quare uolumus et presenti scripto concedimus · ut predicti abbas et conuentus habeant et possideant dictam ecclesiam in puram et perpetuam elemosinam · scilicet quicquid layca persona potest in ecclesia dare et concedere sine aliqua diminucione uel retencione · sicut liberius quiecius plenarius · et honorificencius aliqua ecclesia de dono Comitis uel



de dundemor · Gilleberto de Rothewen et Gilleberto Macnacthin · fratre hugone · et Gilleberto fratribus nostris domino · N · Camerario nostro persona de Creff · alano maresscallo petro clerico Colino de tyncgry et Multis aliis · Datum apud creff · anno gracie domini M°. cc°. l°. vij° · pridie Idus decembris.

LXXXVII

Carta de Gilmory makgillendes seruo.[1] 1258.

Omnibus hoc scriptum visuris uel audituris Malisius Comes de Strathernt eternam in domino salutem. Nouerit uniuersitas vestra nos caritatis intuitu et pro salute anime nostre et animarum antecessorum nostrorum dedisse concessisse et hac presenti carta nostra confirmasse pro nobis et heredibus nostris deo et Ecclesie sancti Iohannis Ewangeliste de Insula Missarum et Canonicis ibidem deo seruientibus et inperpetuum seruituris in puram et perpetuam Elemosinam · Gilmuri Gilendes seruum nostrum cum tota sequela sua · Et nos et heredes nostri dictum Gilmuri Gilendes ut supradictum est · dictis ecclesie et Canonicis warantizabimus inperpetuum · In cuius rei testimonium sigillum nostrum presenti Carte nostre apposuimus. Hiis testibus. dominis[2] Malisio filio Comitis · Ioachim de kinbuc Militibus · Gilberto fratre Comitis · Nicholao rectore ecclesie de Cref tunc Camerario Comitis · Alano Marschallo · Lorin Mac Gil serf et multis aliis · Datum apud kenmore die annunciacionis beate Marie virginis · anno dominice Incarnacionis . M°·cc°·l°· octauo.

LXXXVIII

Carta Johannis starnes.[3] 1258.

Omnibus hoc scriptum visuris vel audituris Malisius comes de stratheryn salutem eternam in domino Nouerit vniuersitas

[1] From the original, Dupplin, No. 107 (=*Lib. Ins. Mis.* No. 57). Seal in white wax, entire. The title is taken from the Register. The indorsement (not contemporary) is, 'Donacio elemosine per Malisium comitem.'

[2] Reg. *domino.* [3] Reg. (see *Lib. Ins. Mis.* No. 58).

vestra me caritatis intuitu pro salute anime mee et antecessorum et successorum meorum Dedisse et concessisse et hac carta mea quitum clamasse de me et heredibus meis inperpetuum deo et beato Johanni apostolo et euangeliste et Abbati et conuentui de insula missarum in puram et perpetuam elemosinam Johannem dictum starnes filium thome filij thore cum tota sequela sua concedo et pro me et heredibus meis inperpetuum ipsis Abbati et conuentui omne Jus et clameum quod habeo in eodem Johanne vel prole ab ipso suscitata vel h[ab]ere potero aut heredes mei imposterum habere poterint prohibeo et omnibus hominibus meis ne aliquis eorum dicto Johanni vel alicui prolis sue molestiam aut grauamen aut aliquod impedimentum inferre presumat In cuius rei testimonium presenti scripto sigillum meum apposui Datum anno domini Millesimo cc^mo quinquagesimo octauo vij° Idus Maij Testibus domino Petro priore de scona Gilberto fratre meo Gilberto de Morauia Willelmo de louetoft Malisio filio Anecole Alano Mariscallo et multis alijs.

LXXXIX

1261. Confirmacio composicionis facte · inter · Abbatem · et fratres hospitalis de bracley.[1]

URBANUS episcopus seruus seruorum dej. Dilectis filijs · · Abbati et Conventuj Monasterij de Insula Missarum ordinis sancti Augustini Dumblanensis diocesis / Salutem et apostolicam benedictionem. Ea que iudicio uel concordia terminantur firma debent / et illibata persistere / et ne in recidiue contentionis scrupulum relabantur / apostolico conuenit presidio

mediantibus bone memorie . . Dumblanensi in cuius diocesi decime huiusmodi consistunt. et venerabili fratre nostro . . Sanctiandree Episcopis super hijs amicabilis inter partes / compositio intervenit. prout in litteris inde[1] confectis plenius dicitur contineri / quam apostolico petijstis munimine roborari. Nos igitur uestris iustis precibus grato concurrentes assensu / compositionem ipsam sicut rite[2] sine prauitate prouide facta est et ab utraque parte sponte recepta / et hactenus pacifice obseruata / auctoritate apostolica confirmamus / et presentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere / uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit indignationem omnipotentis dej et beatorum Petri et Pauli apostolorum eius se nouerit incursurum. Datum Viterbij ij Idus Septembris. Pontificatus nostri Anno Primo.

XC

Confirmacio Ricardi episcopi Dunkeldensis super ecclesia de madirnyn et cano et coneueto et abthen.[3]

1263.

Vniuersis sancte Matris ecclesie filijs presens scriptum visuris vel Audituris Ricardus permissione diuina Dunkeldensis episcopus eternam in domino salutem Noueritis nos ad plenum inspexisse bone memorie Johannis primi Ricardi Johannis secundi hugonis Gilberti et Galfridi predecessorum nostrorum episcoporum scilicet Dunkeldensium Donaciones concessiones et confirmaciones Monasterio de Inchaffryn et canonicis ibidem deo seruientibus et seruituris factas super ecclesia de Maddirnyn cum omnibus pertinencijs suis et super terra de Maddirnyn que Abthan dicitur et super quita clamacione de Cane et de Coneuethe que clerici Dunkeldenses de eadem Abthane antiquitus percipere consueuerunt et cum de Jure non possumus nec volumus eorum honesto facto iniuste contraire nec pias eorum collaciones pauperi monasterio factas infirmare Nos

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[1] Two letters erased. The Bull at Magdalen College has *exinde*.
[2] Written on an erasure.
[3] Reg. (see *Lib. Ins. Mis.* No. 80).

eodem spiritu pietatis ducti quo et illi de consensu capitulī ecclesie Dunkeldensis Donaciones concessiones et confirmaciones dicte ecclesie et predicti Abthane et supradictam quitam clamacionem eisdem canonicis factas Ratas et gratas habentes et concedimus et inperpetuum confirmamus salua nobis et successoribus nostris vna Marca argenti annuatim de eodem Abthan persoluenda ad Duos terminos scilicet medietate ad Penticosten et medietate ad festum sancti Martini sicut [1] predictorum episcoporum autenticis contineri [2] inuenimus Concedimus eciam Abbati et canonicis predicti monasterij et eorum successoribus inperpetuum vt predictam ecclesiam in bonis temporalibus omnimodis in vsus suos proprios pro sue voluntatis Arbitrio conuertant faciendo eidem ecclesie per ydoneum capellanum vel si maluerint per aliquem canonicum de suo collegio deseruiri saluis episcopalibus In huius rei testimonium huic scripto sigillum nostrum apposuimus Datum apud Tybyrmore quarto nonas Augusti Anno dominj Millesimo cc^mo sexagesimo tercio Pontificatus nostri Anno duodecimo hijs testibus Magistro Roberto de streuillyn Decano Dunkeldensis ecclesie Magistro Thoma de Perth officiali nostro Magistro David Belle canonico Dunkeldensi domino Thoma canonico de insula sancti Columbe Willelmo Rectore ecclesie de Mukyrsy et alijs.

XCI

Concordia indentata inter conuentum et tristrame

arbitrio confecto plenius continetur et ceteris terris quas nos possidebamus in quibus dictus Trestram sibi et heredibus suis jus vendicabat et maxime de infirmatorio nostro et capella et alijs terris circumiacentibus sicut fossatum est circumquaque tandem omnis lis et contencio super dictis terris mota vel mouenda in hunc modum conuenit[1] videlicet quod dictus Trestram totum jus et clameum quod habuit vel habere potuit in prefatis terris nobis et successoribus nostris pro se et heredibus suis inperpetuum quitum clamauit saluo in omnibus jure domini nostri comitis de stratheryn Renunciando quoque pro ipso et heredibus suis impetratis et impetrandis omnimodis ne decetero nos aut successores nostros super dictis terris in puram et perpetuam et liberam elemosinam nobis concessis et per multa tempora pacifice possessis in foro laycali vel clericali fatigare presumat Nos vero predicto Trestram et Cristine sponse sue et heredibus suis fraternitatem monasterij nostri in oracionibus elemosinis martilogio et ceteris bonis que fiunt generaliter pro confratribus nostris caritatiue concessimus et hoc Idem heredibus ipsorum concessimus si hoc caritatiue pecierint Concessimus eciam eidem trestram et heredibus suis quatenus in no[bi]s est quod habeant capellam suam in qua eis possint diuina scelebrari salua in omnibus indempnitate matris ecclesie Ad hec omnia supradicta fideliter sine dolo fraude et machinacione aliqua pro se et heredibus suis obseruanda per fidem suam necnon tactis sacrosanctis per sacramentum suum corporale se obligauit et nos pro nobis et successoribus nostris Idem fecimus In cuius rei testimonium huic carte ad modum cyrography confecte remanenti inperpetuum penes nos et successores nostros sigillum dicti Trestram et domini Malisij comitis de stratheryn sunt appensa et parti remanenti penes dictum trestram et heredes suos inperpetuum sigillum commune capituli nostri et venerabilis patris Roberti dei gracia Dunblanensis episcopi sunt appensa Datum apud insulam missarum die sancti valentini martiris Anno gracie Millesimo cc^mo^ sexagesimo sexto.[2]

[1] The old edition reads *quieuit*; a possible conjecture.

[2] Either the 1266 of this deed or the 1265 of the one next following is probably an error. But they may be reconciled by dating both deeds 1265/6.

XCII

1265/6. ## Altera indentura super terris de cambinch.[1]

Omnibus cristi fidelibus hoc scriptum visuris vel audituris Tristram de gortyn eternam in domino salutem Nouerit vniuersitas vestra quod cum controuersia mota esset inter Abbatem et conuentum de insula missarum ex parte vna et me ex altera super terris de Cambinch que ex arbitrio virorum prudencium prouisa fuit jacere in communi inter nos sicut plenius continetur in scripto de ipso arbitrio confecto et ceteris terris quas prefati religiosi possidebant in quibus ego dictus Tristram michi et heredibus meis [jus] vendicabam et maxime de infirmatorio et capella et alijs terris circumiacentibus sicut fossatum est circumquaque Tandem inter nos die sancti valentini martiris Anno gracie millesimo cc^mo^ sexagesimo quinto apud insulam missarum sub hac forma conuenit[2] videlicet quod ego dictus Tristram promisi fideliter pro me et heredibus meis quod dictos Abbatem et conuentum et eorum successores inperpetuum indempnes conseruarem in omnibus de forisfactis commissis et committendis in curia dominj comitis de stratheryn occasione omnimodarum conuencionum motarum inter nos super dictis terris et alijs conuencionibus et controuersijs super quibus ipsos ad judicium traxi seculare et totum jus meum quod habui vel habere potui in prefatis terris dictis Abbati et conuentui de insula missarum pro me et heredibus meis inperpetuum quitum clamaui saluo in omnibus

sponse mee et heredibus meis fraternitatem monasterij sui in oracionibus elemosinis et martilogio et ceteris bonis que fiunt generaliter pro confratribus diuine caritatis intuitu concesserunt et hoc Idem heredibus meis si caritatiue pecierint concesserunt Concesserunt eciam dicti Abbas et conuentus michi et heredibus meis quatenus in eis est capellam nostram in qua nobis possint diuina scelebrari salua in omnibus indempnitate matricis ecclesie In cuius rei testimonium huic scripto sigillum meum apposui et ad instanciam meam sigillum comitis huic scripto est appensum.

XCIII

[Confirmatio Clementis IV. Pape de ecclesia de Maderdin.[1]] 1266.

Clemens Episcopus servus servorum Dei / Dilectis filiis Abbati et Conventui Monasterij de Insula Missarum / Ordinis Sancti Augustini Dumblanensis diocesis. Salutem et apostolicam benedictionem / Solet annuere sedes apostolica pijs votis et honestis petentium precibus favorem benivolum impertiri. Exhibita siquidem nobis vestra petitio continebat quod bone memorie Johannes primus Dunkeldensis Episcopus Ecclesiam de Mardindin[2] Dunkeldensis diocesis in qua jus patronatus habetis de consensu Capituli sui vobis et Monasterio vestro cum juribus et pertinentijs suis in proprios usus concessit / ac postmodum pie memorie Ricardus · Johannes secundus / Hugo / Gilbertus et Galfridus / ac venerabilis frater noster Ricardus Dunkeldenses Episcopi successores ipsius Johannis / quod super hoc ab ipso factum extitit approbarunt et etiam confirmarunt / ac idem Ricardus Episcopus de consensu Capituli sui vobis concessit / ut in eadem Ecclesia possitis per aliquem de vestris concanonicis facere deserviri prout in Litteris inde confectis plenius dicitur contineri. Nos itaque vestris supplicationibus inclinati / concessionem hujusmodi ab eodem Episcopo sicut provide facta est Ratam et firmam habentes eam auctoritate apostolica confirmamus / et presentis

[1] Antiquaries' MS., pp. 103 and 287.

[2] The second copy has *Mardinin.*

scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere / vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit / Indignationem omnipotentis Dei / et beatorum Petri et Pauli apostolorum ejus se noverit incursurum Datum Viterbij x. Kalendas Junij Pontificatus nostri anno secundo.

XCIV

1266. ## Commissio archidiacono laudonie ad restituendum jura et libertates.[1]

Clemens episcopus seruus seruorum dei. Dilecto filio . . Archidiacono laudonie in ecclesia sancti Andree in Scotia. Salutem et apostolicam benedictionem. Ad nostram noueris audientiam peruenisse. quod tam dilecti filij . . Abbas et Conventus Monasterij de Insula Missarum ordinis sancti Augustini Dumblanensis diocesis quam predecessores eorum / decimas terras uineas / domos / prata nemora / molendina pascua piscarias redditus et quedam alia bona eiusdem Monasterij nonnullis clericis et laicis tam religiosis quam secularibus aliquibus eorum ad uitam / quibusdam uero ad non modicum tempus et alijs perpetuo ad firmam uel sub censu annuo datis super hoc litteris factis renuntiationibus adiectis penis et iuramentis interpositis concesserunt / in ipsius Monasterij lesionem enormem / quorum aliqui dicuntur

uel timore subtraxerint / censura simili appellatione cessante compellas ueritati testimonium perhibere. Datum Viterbij kalendis Julij Pontificatus nostri Anno Secundo.

XCV

De lapicina.[1] 1266.

Omnibus presentes litteras visuris uel audituris · · M · comes de stratherne · salutem in domino · Noueritis nos dedisse et concessisse et hac carta nostra confirmasse pro nobis et heredibus nostris · in puram et perpetuam elemosinam · deo et beate marie ac beato iohanni apostolo et ewangeliste · et Religiosis viris abbati et conuentui de insula missarum · caritatis intuitu et pro salute anime nostre ac[2] antecessorum nostrorum · licenciam et potestatem inperpetuum · fodiendi · et secandi lapides in lapidicina nostra et terra nostra de nethirgasche · ad ecclesiam suam et officinas suas ac omnia edificia in dicto Monasterio pro voluntate sua construenda · Concedimus eciam eisdem per totam terram nostram de nethyrgasche · liberum transitum ad predictam lapidicinam · introitum in eandem et liberum exitum cum hominibus · animalibus · quadrigis · vecturis quibuscumque lapides ducentibus seu portantibus · et duas acras terre dicte lapidicine ex parte occidentali proximo[3] adiacentes · vt ibidem lapides suos[4] possint recolligere[5] · et domum in qua eosdem incidant : pro voluntate sua edificare · et de residuo duarum acrarum pro voluntate sua disponere · In cuius rei testimonium sigillum nostrum presentibus fecimus apponi · Hiis testibus · domino Gilberto de Rothewane · domino Ioachim de Kinbucche · Magistro Ricardo de striuiline · camerario[6] domini comitis · Iorne Mach gilherve · Iacobo persona de buffudire · et multis alijs · Datum apud crefe · in crastino beati Martini in yeme · Anno gracie · M° · cc° · sexagesimo sexto.

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[1] From the original, Dupplin, No. 105 (i) (= *Lib. Ins. Mis.* No. 64). Of the seal, in white wax, small traces remain on the tag.
[2] Reg. *et.*
[3] Reg. *primo.*
[4] Reg. *quos.*
[5] Reg. *colligere.*
[6] Reg. *cancellario.*

XCVI

1268? **Carta de sex marcis de abircarnich.**[1]

Omnibus cristi fidelibus ad quorum noticiam presentes [perue]nerint malisius comes de stratheryn eternam in domino salutem nouerit vniuersitas vestra quod cum viri religiosi abbas et conuentus Monasterii de insula missarum essent in possessione re[ci]piendi sex marcas sterlingorum nomine secundarum decimarum nostrarum de firma terre de Ballenolleth in syro de Foglais Idem religiosi ad instanciam nostram patienter sustinuerunt nos illam terram de Ballenolleth domino G fratri nostro conferre et sic eisdem Religiosis in eisdem sex marcis remansimus obligati Quare volimus et concedimus eisdem religiosis per hanc scripturam mera nostra voluntate confectam pro nobis et heredibus nostris vel assignatis quod dicti religiosi dictas sex marcas nomine secundarum decimarum nostrarum sine contradiccione nostri vel heredum nostrorum vel assignatorum nostrorum de firma tenementi de Abbircarnych recipiant inperpetuum per manus cujuscumque dictum tenementum de Abircarnyche de nobis vel heredibus nostris vel assignatis tenentis soluendas ad duos anni terminos scilicet vnam medietatem ad festum penticostes et aliam medietatem ad festum sancti Martini in yeme Item cum teneremur eisdem religiosis in triginta sex libris sterlingorum quas cepimus de fratre hugone tunc temporis terrario eiusdem monafterij de

marcas sterlingorum de firma predicti tenementi de Abircarniche sine contradictione [nostri] vel heredum nostrorum vel assignatorum quousque predicti Religiosi totum predictum debitum de predicta firma sepedicti tenementi de Abircarnyche dictis terminis sicut predictum est plenarie et integre receperint termino prime solutionis dicte peccunie incipiente ad festum penticostes anno gracie Millesimo cc^mo decimo octauo.[1] In cuius rei testimonium literis presentibus sigillum nostrum fecimus apponi Datum apud Crefe Die sancti ambrosij anno supradicto Hijs testibus domino Roberto dei gracia episcopo Dunblanensi domino Ewgenio de argadia domino M · auunculo nostro domino N Rectore ecclesie de Crefe dominis G J et B · rectoribus ecclesiarum de Comry de Buchfydir de Monyhge T de Gortyn Bricio de Ardrossane et multis alijs Nos vero et heredes nostri vel assignati predictas sex Marcas sicut predictum est dictis religiosis et eorum successoribus inperpetuum contra omnes warantizabimus et defendemus et acquitabimus.

XCVII

Donacio quatuor marcarum annui redditus de terra de Mukrand.[2]

c. 1270.

Omnibus hoc scriptum visuris vel audituris Malicius comes de stratheryn salutem eternam in domino Nouerit vniuersitas vestra me Dedisse concessisse et hac presenti carta mea confirmasse deo et beate Marie et cuidam capellano celebranti diuina in elemosinaro de insula missarum pro animabus antecessorum meorum et omnium fidelium defunctorum et pro anima Bricij de Ardrossane pro quita clamacione terre de Buthaldy et de lanyrky quam quidem terram dictus Bricius michi et heredibus meis post dies suos quitam clamauit: quatuor Marcas argenti de firma terre que vocatur Mukrand percipiendas singulis annis inperpetuum in liberam et perpetuam elemosinam de me et heredibus meis per manus firmariorum eiusdem terre

[1] *Sic*; perhaps for 1268, as the Bannatyne Club editor suggested.
[2] Reg. (see *Lib. Ins. Mis.* No. 52).

quicumque fuerint pro tempore in dicta terra commorantes ad sustentacionem dicti capellani quicumque fuerit inperpetuum Preterea do et concedo et hac carta mea confirmo dicto[1] capellano et successoribus suis inperpetuum in liberam et perpetuam elemosinam illam particulam terre quam prenominatus Bricius de Ardrossane tenuit in villa de Dunblane que vocatur Tolauch per omnes rectas diuisas suas Tenendam et habendam de me et heredibus meis dicto capellano et successoribus suis ad inueniendum calicem et ornamenta dicto capellano Item do et concedo potestatem Abbati de insula missarum qui pro tempore fuerit[2] cum capellanus aliquis qui ibidem[3] celebrauerit diuina in fata discedit in periculo anime sue alium capellanum ydoneum constituendi predicto loco sine aliqua contradiccione mei vel heredum meorum Si autem contingat me vel heredes meos aliquo casu quod absit contra hanc donacionem et concessionem venire subicio me et heredes meos interdiccioni Episcopi Dunblanensis qui pro tempore fuerit renuncians omni appellacioni excepcioni cauillacioni et omni juris remedio canonici et ciuilis vt ipse per sensuram ecclesiasticam ad predictam donacionem et concessionem fideliter inperpetuum obligando me et heredes meos de die in diem compellat Vt autem hec mea donacio et concessio perpetue firmitatis robur optineat presens scriptum sigilli mei munimine roboraui Testibus domino A · abbate de insula missarum domino Gilberto de Ruthfen Malicio filio comitis Militibus domino Nicholao persona de Crefe Willelmo de Rothfen tunc camerario meo et multis alijs.

quondam comitis de stratheryn factam deo et beate marie et cuidam capellano celebranti diuina in elemosinario de insula missarum pro animabus dicti comitis et suorum antecessorum et pro anima mea et omnium fidelium defunctorum de quatuor marcis sterlingorum percipiendis singulis annis de firma terre de Mukracht inperpetuum in puram et perpetuam elemosinam prout in carta dicti comitis inde confecta plenius continetur et quia predictus comes terram de Tulach quam eidem capellano et suis successoribus ad calicem et ornamenta ibidem inueniendum per prenominatam cartam donauerat et concesserat deo et ecclesie Dunblanensi de ordinacione eiusdem loci episcopi postea mutata voluntate assignauit ego vero nolens pro defectu dictorum ornamentorum diuina officia in dicto elemosinario cessare ex mea mera voluntate do et presenti carta confirmo pro salute anime mee et antecessorum meorum et dicti domini M comitis et suorum antecessorum sepedicto capellano et suis successoribus inperpetuum vnam marcam argenti ad duos anni terminos scilicet medietatem ad penticosten et aliam medietatem ad festum sancti Martini in yeme percipiendam singulis annis de terra quam ad feodo firmam teneo per cartam in territorio de Petlandy per Abbatem et conuentum de insula missarum quibus dictam terram per cartam meam assignaui Volo eciam et concedo quod si dicta terra a predictis Abbate et conuentu aliquo casu seu occasione per aliquem fuerit euicta quod heredes mei seu assignati ad quos quocumque titulo terre mee transierint de ipsis terris predicto capellano et suis successoribus singulis annis terminis supradictis dictam Marcam argenti prout dictum est sine contradiccione aliqua persoluant et ad hec ecclesiastica districcione si necesse fuerit compellantur Ita videlicet quod cetere terre ad quemcumque transierint pro prestacione dicte marce remaneant inperpetuum obligate In cuius rei testimonium hijs literis presentibus sigillum meum apposui hijs testibus domino Roberto dei gracia episcopo Dunblanensi domino A eadem gracia Abbate de insula missarum et eiusdem loci conuentu Magistro Ricardo Magistro Gilberto Magistro J · de logy ecclesie Dunblanensis canonicis domino J decano T de Gorty et multis alijs Datum apud insulam missarum Anno gracie Millesimo cc^{mo} septuagesimo primo die sancti clementis pape et martiris.

XCIX

1271. ### Carta bricii de ardrossane de xvj acris.[1]

Omnibus cristi fidelibus has literas visuris vel audituris Bricius de Ardrossane eternam in domino salutem Nouerit vniuersitas vestra me pro salute anime mee et domini mei Malisij bone memorie quondam comitis de stratheryn et antecessorum meorum et suorum dedisse conce[ssi]sse et hac presenti carta confirmasse inperpetuum deo et beate Marie et sancto Johanni apostolo et euangeliste et Abbati et conuentui de insula missarum et eorum successoribus illas sexdecim acras terre citas juxta pontem Abbathie ex parte orientali in campo qui vocatur langflathe cum suis omnibus pertinencijs et aysiamentis quas quidem sexdecim acras terre dictus dominus meus Malisius bone memorie quondam comes de stratheryn michi et heredibus meis et assignatis et eorum heredibus in excambium pro terra de Cullath donauit et concessit quam quidem terram de Cullath dictus comes ex consensu meo deo [et] ecclesie de Dunblanene inperpetuum assignauit Tenendas et habendas sibi et suis successoribus de me et heredibus meis et assignatis inperpetuum in puram et perpetuam elemosinam libere pacifice et quiete ab omni exaccione seculari et consuetudine et demanda In cuius rei testimonium hijs literis sigillum meum apposui hijs testibus Domino Roberto dei gracia episcopo Dunblanensi Magistro Ricardo Magistro Johanne de loggy eiusdem ecclesie canonicis domino J · decano domino · N · rectore ecclesie de Crefe Trestram de Gorty ach et Monach

vestra me pro salute anime mee et an[te]cessorum meorum concessisse et assignasse et hac presenti carta mea confirmasse deo et beate Marie et sancto Johanni apostolo et euangeliste et Abbati et conuentui de insula missarum et suis successoribus inperpetuum illam particulam terre sitam in territorio de Petlandy quam ego de luca filio theobaldy ad feodam firmam teneo cum omnibus suis pertinencijs et ceteris aysiamentis per suas rectas diuisas prout in carta inter dictum lucam et me super hoc facta plenius continetur Tenendam et habendam sibi et successoribus suis inperpetuum de me et heredibus meis seu assignatis libere et quiete sicut liberius quiecius ego dictam terram tenui vel tenere potui Reddendo inde annuatim vnam Marcam argenti scilicet medietatem ad Penticosten et aliam medietatem ad festum sancti Martini cuidam capellano diuina celebranti in elemosinario de insula missarum ad comparandum[1] seu inueniendum ibidem calicem et ornamenta diuino[2] cultui necessaria volo et concedo quod si dictam terram per aliquem aliquo casu seu occasione de predictis Abbate et conuentu quod absit inposterum euinci contigerit sepedictos Abbatem et conuentum a predicte marce prestacione extunc fore absolutos et me et heredes meos seu assignatos ad quos cetere terre mee quocumque titulo transiuerint ad predicte marce prestacionem annuam predicto capellano de ipsis terris faciendam supradictis terminis inperpetuum teneri et ad hoc per sensuram ecclesiasticam si necesse fuerit compelli et perstringi Reddendo nichilominus sepedicto luce et suis heredibus vel assignatis dictam terram ad fe[o]dofirmam michi et heredibus meis seu assignatis inperpetuum concedentibus pro omni seculari seruicio exaccione consuetudine et demanda warantizacione proteccione et defencione duodecim denarios ad duos anni terminos scilicet sex denarios ad penticosten et sex denarios ad festum sancti Martini in yeme et preterea tres denarios tantummodo pro quolibet Regis auxilio seu exercitu quociens dominus Rex commune[m] exercitum vel commune auxilium exigere contigerit a toto suo rigno In cuius rei testimonium huic scripto sigillum meum apposui hijs testibus domino Roberto dei

[1] Old ed. *operandum*; misreading the Register. [2] Reg. *diuine.*

gracia episcopo Dunblanensi domino N · rectore de Crefe domino Johanne tunc decano de stratheryn rectore ecclesie de Glendofona dominis G et J · rectoribus ecclesiarum de Cumry et de Buffidir trestram de Gorty Magistro Johanne de logy ach et Munach filijs Alpin et multis alijs Datum apud insulam missarum die sancti clementis martiris et pape Anno gracie Millesimo cc^mo^ septuagesimo primo.

CI

1271. ## Litera testimonialis saysine terre Bricii de ardrossane.[1]

Omnibus has literas visuris vel audituris Bricius de Ardrossane eternam in domino salutem Nouerit vniuersitas vestra me mea spontanea voluntate tra[di]disse Abbati et conuentui de insula missarum plenariam saysinam tocius terre mee quam ad feodofirmam tenui in territorio de Petlandy atque misisse Michaelem et Martinum famulos meos quibus vero concessi meam plenariam potestatem in hoc ad ponendum dictum Abbatem vel suos procuratores vnum vel plures in plenariam saysinam dicte terre mee de Petlandy saluis in omnibus domino feudi hijs que in carta inter me et ipsum confecta plenius contine[n]tur In cuius rei testimonium literis presentibus sigillum meum apposui vna cum sigillo venerabilis domini Roberti dei gracia Episcopi Dunblanensis Datum apud insulam missarum

meorum et Malisij filij mei et heredum meorum et ceterorum successorum meorum dedisse concessisse et hoc presenti scripto confirmasse deo et beate Marie et beato Johanni apostolo et euangeliste de insula missarum et Abbati et conuentui eiusdem loci et eorum successoribus in puram et perpetuam elemosinam illam particulam terre in tenemento de Rossy per illas metas per quas ego coram fidedignis in propria persona perambulaui scilicet a petario de Rossy qui scotice[1] dicitur pethath sicut riuulus dicti petarij discendit versus orientalem partem vsque ad viam que se extendit de strathyn vsque ad Rossy et sic per illam viam versus austrum vsque ad aseruum lapidum per me [factum][2] ibidem et sic similiter vsque ad alium asseruum per me factum et sic versus occidentalem partem per albam metam scilicet paruam semitam vsque ad dictum petarium et sic versus aquilonalem partem vsque ad exitum dicti riuuli dicti petarij que quidem particula terre continuate continet in se tres acras terre et amplius Tenendam et habendam sibi et suis successoribus et eorum assignatis de me heredibus meis in puram et perpetuam elemosinam libere et quiete inperpetuum cum pastura duodecim vaccarum et viginti ouium et vnius equi vna cum aysiamento sumendi in dicto petario singulis annis viginti karucas petarum vel si maluerint quater viginti onera equorum cum ceteris aysiamentis omnimodis infra willam et extra prout liberius et quiecius aliquis miles aliquam elemosinam in toto rigno scocie dare vel concedere potest Ego vero dictus M miles et heredes mei hanc elemosinam predictis religiosis et eorum successoribus collatam contra omnes homines et feminas inperpetuum warantizabimus protigemus et defendemus atque liberam et quietam ab omni onere exaccione et demanda seculari et seruicio penitus faciemus et obseruabimus In cuius rei testimonium huic scripto sigillum meum apposui hijs testibus domino Patricio de Grahm domino N rectore ecclesie de Creffe filio meo Magistro Thoma decano Dunblanensis ecclesie Magistro Ricardo de stryuyllyn eiusdem ecclesie canonico domino G persona de Comry domino J persona de Buffyddir domino Donaldo decano de Metthel Willelmo clerico et multis alijs.

[1] Reg. *scocie.* [2] Supplied in the former edition conjecturally.

CIII

c. 1272. ## [Carta Luce filii Tebaldi.[1]]

Omnibus sancte matris ecclesie filiis presens scriptum visuris uel audituris · lucas filius tebaldi filii · Willelmi eternam in domino salutem Sciant omnes tam presentes quam futuri Me caritatis Intuitu et pro salute anime mee et antecessorum meorum et successorum dedisse concessisse et hac presenti carta mea confirmasse deo et beate marie et beato Iohanni apostolo et euangeliste · et abbati et conuentui de Insula missarum et luminari maioris altaris sancte marie eiusdem ecclesie In puram et perpetuam elemosinam totam illam particulam terre In terra mea de pechlandy · que iacet Inter terram quam pater meus et ego dictis abbati et conuentui caritatiue contulimus in terra que uocatur fithlerflath[2] et viam magnam que vadit et tendit uersus buchteny[3] · et sic per illam viam versus aquilonem vsque ad terram de dunyduf quam bricius de ardrossan quondam de me et heredibus meis ad feudo firmam tenuit · vna cum illa particula terre que se extendit ab oriente versus occidentem vsque ad riuulum illum qui currit Inter pethlandy et pethmane · que quidem particule terre continue continent in se quatuor acras terre et aliquantulum plus · et cum bracina totius terre de pethlandy · Tenendas et habendas sibi et successoribus suis de me et heredibus meis Inperpetuum Cum communi pastura octo vaccarum et duorum equorum et cum omnibus communibus[4] asyamentis Infra villam de peth-

simul sine aliquo retinemento iaceant continuate inperpetuum · Ego uero lucas et heredes mei hanc eandem elemosinam dictis Religiosis per me collatam tam de predictis · terra · pastura et bracina cum omnibus asyamentis vt predictum est contra omnes homines et feminas warentizabimus et defendemus inperpetuum · et liberam et quietam ab omni onere exactione et seruitio seculari omnino faciemus · Ego etiam donationem patris mei predictis religiosis de vno toufto et duabus acris terre et quadam pastura secundum quod plenius et melius continetur In carta quam dicti abbas et conuentus a dicto · T · patre meo ex inde habent confectam · vna cum terra de dunyduf · quam habent de dono bricii de ardrossan assensu et concensu meo facto eisdem · pro me et heredibus meis inperpetuum ratifico et confirmo · In Cuius rei testimonium huic scripto sigillum meum apposui · Hiis testibus · domino Roberto dei gratia episcopo dunblanensi · magistro thoma eiusdem ecclesie decano · magistro Ricardo de striflyn eiusdem ecclesie canonico domino · N · rectore ecclesie de cref · dominis · G · et y · de comri et de butfuder personis · Magistro Rogero de scardtheburge clerico domini regis · henrico firmario dicto · symone · Iohanne · et hugone filiis dicti henrici · Willelmo clerico · Gillefelan Iudice · Rogero filio yacobi cimentarii petro filio dicti cimentarii · Rogero et iacobo filiis · W · gena · bricio dapifero et multis aliis.

CIV

[Commissio Gregorii x. Papa ad bona monasterii recuperanda.[1]] 1274.

Gregorius episcopus seruus seruorum dej / Dilecto filio · · Decano ecclesie Dumblanensis Salutem et apostolicam benedictionem. Ad nostram noueris audientiam peruenisse quod tam dilecti filij · · Abbas et Conuentus Monasterij de Inchafran ordinis sancti Augustini Dumblanensis diocesis quam prede-

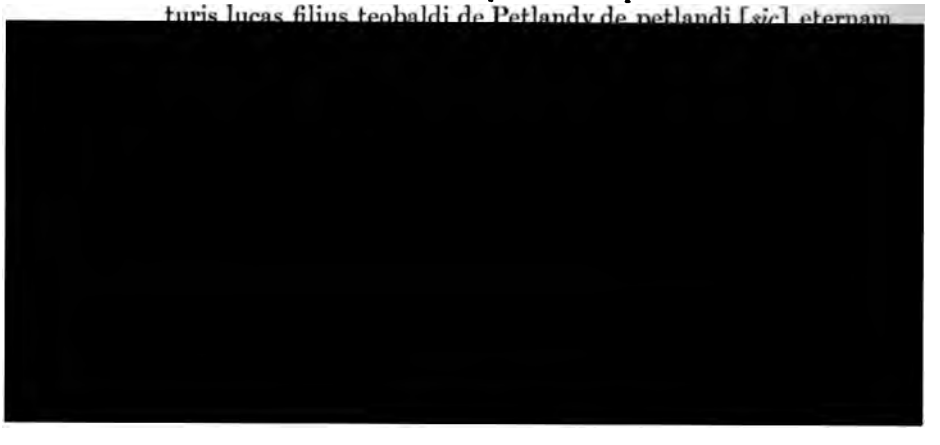
[1] From the original, Dupplin, Bull No. 11. The Bulla is lost, but the holes bored for the string by which it was suspended remain. Indorsed 'Ea que de bonis,' and some illegible words.

cessores eorum / decimas / terras / possessiones / redditus / domos / Casalia / Molendina / iura iurisdictiones · et quedam alia bona ipsius Monasterij datis super hoc litteris interpositis iuramentis factis renuntiationibus / et penis adiectis in grauem ipsius Monasterij lesionem / nonnullis clericis et laicis aliquibus eorum ad uitam quibusdam uero ad non modicum tempus et alijs perpetuo ad firmam uel sub censu annuo concesserunt. Quorum aliqui super hijs confirmationis litteras in forma communj a sede apostolica impetrasse dicuntur. Cum igitur nostra intersit lesis Monasterijs subuenire / discretioni tue per apostolica scripta mandamus quatinus ea que de bonis prefati Monasterij per concessiones huiusmodi alienata inueneris illicite uel distracta / non obstantibus litteris / penis / iuramentis renuntiationibus et confirmationibus supra dictis / ad ius et proprietatem ipsius Monasterij legitime reuocare procures. Contradictores per censuram ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint / censura simili appellatione cessante compellas ueritati testimonium perhibere. Datum Lugduni Idibus Julij Pontificatus nostri Anno Tertio.

CV

c. 1275. ## Carta de vno crofto et tofto in Petlandy.[1]

Omnibus cristi fidelibus presens scriptum visuris vel audituris lucas filius teobaldi de Petlandy de petlandi [*sic*] eternam



ad magnum lapidem Iuxta dictum riuulum et sic versus orientalem partem vsque ad terram Martini generis [*sic*] mei et sic discendendo versus meridionalem partem vsque ad dictam magnam viam et sic per eandem viam vsque ad predictum vadum que quidem particula terre continet in se quartam partem vnius acre in puram et perpetuam elemosinam vna cum brasina tocius territorij de Petlandy et omni Iure brasine et cum omnibus alijs Iuribus aysiamentis infra villam et extra ad dictam terram de Petlandy spectantibus vel spectare valentibus sine aliquo retinemento in bosco et plano in moris et Marresijs petarijs et bruarijs Tenenda et habenda sibi et successoribus suis et assignatis et eorum heredibus de me et heredibus meis vna cum dicta bracina tocius terre de Petlandi et omni Iure brasine in puram et perpetuam elemosinam libere et quiete ab omni seculari seruicio inperpetuum Ego vero lucas et heredes mei dicta toftum et croftum vna cum dicta bracina et omni Iure brasine et omnibus alijs pertinencijs sicut predictum est dictis viris religiosis et eorum successoribus contra omnes homines warantizabimus protegemus et defendemus inperpetuum Et vt hec mea donacio et carte mee confirmacio robur firmitatis et stabilitatis in omni optineat presentem cartam meam sigilli mei inpressione roboraui Hijs testibus Magistro Thoma decano ecclesie Dunblanensis dominis G et J de Cumry et de Buffydir domino Mauricio capellano tunc [1] maioris comitisse de stratheryn henrico filio Malcolmi Mauricio dicto knyt Petro dicto Parkare vtting fabro de streuillyn Rogero dicto de Dunfallyn et multis alijs.

CVI

Carta brasine de petlandi.[2]

c. 1275.

Omnibus cristi fidelibus presens scriptum visuris vel audituris lucas filius thebaldi de Petlandy eternam in domino salutem nouerint vniuersi me pro salute anime mee et sponse mee et an[te]cessorum meorum dedisse et concessisse et hac carta mea confirmasse deo et beate Marie et sancto Johanni apostolo in

[1] *Tunc* is possibly a misreading of the countess' Christian name.
[2] Reg. (see *Lib. Ins. Mis.* No. 32).

insula missarum necnon Abbati et conuentui eiusdem
tota[m] brasinam tocius terre de Petlandy cum omnibus lib
tibus juribus et aisiamentis omnimodis infra uillam et ext
dictam terram de Petlandy spectantibus vel spectare ualen
sine aliquo retenemento Tenendam et habendam sil
successoribus suis et assignatis et eorum heredibus de n
heredibus meis in puram et perpetuam elemosinam libe
quiete ab omni seculari seruicio inperpetuum Ego ve
heredes mei dictam brasinam cum pertinencijs omnimodis
predictum est dictis religiosis et eorum successoribus c
omnes homines et feminas warantizabimus protegem
defendemus inperpetuum Et vt hec donacio mea et carte
confirmacio robur firmitatis et stabilitatis in omni optineat
sentem cartam meam sigilli mei inpressione roboraui hijs tes
Magistro Thoma decano Dunblanensis ecclesie et mag
Ricardo eiusdem ecclesie canonico domino N rectore eccle
Cref domino J persona de Buffydir dominis · M · et M · c
lanis domine comitisse Trestram de Gorty · Willelmo gal
et multis alijs.

CVII

1278. [Bulla Nicolai III. Pape de utendis privilegiis.

Nicolaus episcopus seruus seruorum dei · Dilectis fili
Abbati et Conventui monasterij de Inchafran ordinis s
Augustini Dumblanensis diocesis / Salutem et aposto
benedictionem. Cum sicut ex parte uestra fuit propo

prescriptionem uel alias legitime derogatum auctoritate uobis presentium concedimus facultatem · Nulli ergo omnino hominum liceat hanc paginam nostre concessionis infringere uel ei ausu temerario contraire · Siquis autem hoc attemptare presumpserit indignationem omnipotentis dei et beatorum Petri et Pauli apostolorum eius se nouerit incursurum. Datum Viterbii Nonis Julij Pontificatus nostri Anno Primo.

CVIII

Carta Domini Iohannis Cumyn super concessione pontis nigri vadi et vie per siluam.[1] 1278.

Vniuersis cristi fidelibus presens scriptum visuris uel audituris · · Iohannes Cumyne[2] filius bone memorie quondam Domini Iohannis Cumyne salutem eternam in domino · Nouerit uniuersitas vestra nos pro salute anime nostre et uxoris nostre ac liberorum nostrorum et precipue pro anima inclite memorie dicti[3] Domini Iohannis Cumyne patris nostri ac antecessorum[4] nostrorum dedisse et concessisse et ac[5] presenti carta nostra confirmasse pro nobis et heredibus nostris in perpetuum deo et beate marie ac sancto Iohanni apostolo et ewangeliste et viris religiosis · abbati et conuentui Monasterii de Insula Missarum et eorum hominibus in puram et perpetuam elemosinam liberam potestatem transeundi cum animalibus · cariagiis et aliis bonis suis per publicam viam que ducit a dicto Monasterio per nigrum vadum qui[6] scotice dicitur athebethy[7] · in nemore nostro de Rosmadirdyne usque ad villam de Perthe · pontemque ibidem firmandi super terram nostram et firmatum sustentandi sumptibus dictorum abbatis et conuentus · eodem que ponte utendi in perpetuum pro libero sue voluntatis arbitrio sine aliqua reclamacione contradiccione aut grauamine nostri uel[8] heredum nostrorum · vnde firmiter inhibemus seruientibus nostris qui pro tempore fuerint dictum nemus nostrum custodi-

[1] From the original, Dupplin, No. 104 (=*Lib. Ins. Mis.* No. 36). Seal in green wax, entire. See facsimile.

[2] Reg. omits *Johannes Cumyne.*

[3] Reg. *quondam.*

[4] Reg. *predecessorum.*

[5] Reg. *hac* (rightly).

[6] So also in Reg.

[7] Reg. *achbethy.*

[8] Reg. *aut.*

entibus et in posterum custodituris ne dictis religiosis seu eorum hominibus cum per dictum pontem et viam transierint predictam pro negociis suis expediendis in rebus suis aut personis · Molestiam · dampnum aliquod aut[1] grauamen eis aut eorum cuiquam inferre presumant. volumus eciam pro nobis et heredibus nostris quod si contingat animalia dictorum abbatis et conuentus aut hominum suorum in pasturam nostram transgressum facere unum denarium argenti pro quolibet transgressu dictorum animalium nomine pene sine maiori exaccione seruientibus nostris et heredum nostrorum persoluant · nisi animalia dictorum religiosorum abbatis et conuentus sev hominum eorundem in nostra pastura predicta de nocte uel die pastore tenente uel pascente inueniantur pascencia · Nos vero et heredes nostri dictam donacionem nostram ut predictum est contra omnes homines in perpetuum warentizabimus et defendemus · In cuius rei testimonium huic scripto sigillum nostrum apponi fecimus · Datum apud Gasknes die lune proxima ante festum sancte Marie Magdalene · Anno gracie · M° · c°c° · septũagesimo octauo · Hiis testibus · Dominis Willelmo et Alexandro fratribus nostris · dominis Nicholao de vepunt et Philippo holifarde[2] Militibus · Alano clerico · ffergusio Mac kenedi · Hugone fabro · Alano seruiente nostro et multis aliis.

CIX

1278. Carta Iohannis Cumyne de Gillecristo Rothe.[3]

Monasterii de Insula missarum ibidem deo seruientibus et inperpetuum seruituris in puram et perpetuam elemosinam. Gillecristum Rothe filium gyllehtheny cum omni sequela sua ab ipso progressa et inperpetuum progressura et cum omni iure quod nos in ipso et in tota sequela sua habuimus uel aliquo tempore habere poterimus · Et ad maiorem securitatem presenti scripto sigillum nostrum apposuimus · Datum apud gasknese die lune proxima ante festum sancte marie Magdalene · Anno gracie · M° · cc° septuagesimo Octauo · Hiis testibus · Dominis Willelmo et alexandro fratribus nostris · dominis Nicholao de Wepount · et Philippo olifarde Militibus · Alano clerico · ffergusio Makenedy · Hugone fabro · Alano seruiente nostro et multis aliis.

CX

Composicio inter canonicos et Walterum pistorem de terra in perthe.[1]

c. 1279.

Omnibus cristi fidelibus presens scriptum visuris vel audituris Walterus pistor de Perthe et hawys sponsa sua filia et heres quondam Nicholai pape burgensis de perthe salutem eternam in domino Nouerit vniuersitas vestra quod cum inter viros religiosos Abbatem et conuentum de insula missarum ex parte vna et me et sponsam meam predictam ex altera super quadam terra que fuit quondam predicti Nicholai pape que quidem terra jacet inter terram Galfridi dicti fratris Iohannis decani ex vna parte et terram Duncani dicti de cellare quam de dictis religiosis ad firmam tenet ex altera in plena curia de Perth coram venerabili patre domino Roberto dei gracia episcopo Dunblanensi domino Willelmo de Morauia milite et eciam balliuis de Perth et multis alijs fidedignis materia questionis verteretur ac eciam dictos religiosos pro jure quod in dicta [terra] credebamus optinere per literas domini nostri Regis in dicta curia fatigauimus per multum tempus Tandem vero ad instanciam dictorum proborum et per assensum et consensum partis vtriusque talis amicabilis composicio inter-

[1] Reg. (see *Lib. Ins. Mis.* No. 43).

uenit videlicet quod ego Walterus et hawys sponsa mea dedimus et concessimus de nobis et heredibus seu assignatis dictis religiosis et eorum successoribus omne jus et clameum si quod in dicta terra habuimus vel inposterum h[ab]ere poterimus pro quadam summa peccunie quam dicti Religiosi in magna nostra necessitate nobis dederunt pre manibus quam quidem summam peccunie cognoscimus nos totaliter recipisse et in nostros vsus necessarios conuertisse Denunciantes in hac parte sponte et absolute pro nobis et heredibus nostris siue assignatis omni jure et facti remedio excepcioni non facte promissionis paccionis et conuencionis et rei sic non geste doli et fraudis priuilegio fori et omni jure et legum auxilio canonici et ciuilis consuetudini et statuto ac eciam literis regijs et apostolicis impetratis et impetrandis ac omnibus alijs tam non nominatis quam nominatis que contra [1] presens instrumentum possi[n]t obici vel apponi quocienscumque contra premissa vel aliquid premissorum inpugnare vel litem mouere presumamus vel intendimus et ad maiorem rei securitatem faciendam huic scripto sigillum meum et sigillum dicte sponse mee apposuimus necnon et sigilla dicti venerabilis patris Episcopi Dunblanensis et Cristini de insula tunc vicecomitis de Perth et Johannis Albot et Johannis de Perth apponi procurauimus Hijs testibus domino Roberto dei gracia episcopo Dunblanensi necnon Willelmo de Morauia milite Cristino de insula tunc vicecomite de Perth Johanne Albot Thoma de insula Johanne de Perth Willelmo filio Wymark Johanne filio Ricardi balliuis tunc temporis de Perth et multis aliis

eiusdem gracia Abbatem de insula missarum et eiusdem loci conuentum ex altera suborta fuisset materia questionis super quodam annuo redditu duodecim librarum cere quem quidem redditum Idem Abbas et conuentus de cupro sibi annuatim deberi dicebant de quibusdam domibus et terris sitis in villa de Perth quas magister Willelmus Dunstane et Michael dictus de Inchaffraan ad feodo firmam tenent de dicto monasterio de insula missarum Tandem licet monasterium predictum de insula missarum predictas domus et terras ab huiusmodi redditus sere prestacione liberas et inmunes triginta et nouem annos et amplius possedissent ac de jure vel possessione dictorum Abbatis et conuentus de Cupro in hac parte sufficienter non liqueret interuenientibus tamen communibus amicis inter partes ipsas huiusmodi amicabilis composicio et specialis conuencio interuenit videlicet quod prefati Abbas et conuentus de Cupro dictum Annuum redditum cere nuncquam decetero peterent vel petere poterunt Predicti vero Abbas et conuentus de insula missarum pro bono pacis et redempcione vexacionis sue super reditu predicto supradictis Abbati et conuentui de Cupro et eorum monasterio reddent annuatim inperpetuum duas libras cummini et duas libras peperis infra octavas natiuitatis beati Iohannis baptiste in capella pontis de perth Quod si Dicti Abbas et conuentus de insula missarum in solucione dicti redditus peperis et cummini in totum vel partem cessauerint quod absit licebit prefatis Abbati et conuentui de Cupro de licencia balliuorum domini Regis de Perth qui pro tempore fuerint tam infra domus quam extra distringere et namos capere donec de dicto Redditu et eius arreragijs si que fuerint plene fuerit eis satisfactum ad hanc autem composicionem fideliter et sine fraude perpetuo obseruandam Abbates predicti pro se et suis conuentibus Iuramento corporaliter et canonice interposito se et monasteria sua obligauerunt et ad maiorem huius composicionis securitatem partes prenominate renunciauerunt in hac parte pro se et successoribus suis inperpetuum exceptioni doli et . . . . . condicioni ex lege et sine causa vel i[n]iusta causa beneficio restitucionis[1] in integrum et nouarum constitucionum omnibus eciam inhibicionibus et con-

[1] The Register inserts *et*.

stitucionibus et impetracionibus et literis tam regijs quam apostolicis et specialiter super bonis alienatis et distractis necnon gracijs indulgencijs et priuilegijs contra composicionem presentem impetratis et impetrandis ac omni accioni et excepcioni consuetudini et statuto necnon omni cauillacioni et impugnacioni ac omnibus auxilijs et remedijs tam Iuris quam facti quibus presens composicio et eius effectus possent impugnari vel infirmari seu impediri vel deferri In cuius rei testimonium parti huius cirographi penes predicto[s] Abbatem et conuentum de insula missarum residenti appositum est sigillum comune predicti Monasterij de Cupro parti vero cirographi [penes predictos Abbatem et conuentum de Cupro][1] residenti appositum est sigillum comune monasterij de insula missarum Datum apud villam de Perth die natiuitatis sancti Iohannis baptiste Anno gracie Millesimo cc^mo^ secundo.

CXII

1282/3. ## Collatio aduocationis ecclesie de struy.[2]

Omnibus cristi fidelibus presens scriptum visuris uel audituris · Malisius filius quondam Malisii Comitis de stratherne · salutem eternam in domino · Noueritis nos pro salute anime nostre et antecessorum nostrorum dedisse · concesse [*sic*] · et presenti Carta nostra confirmasse in liberam puram et perpetuam elemosinam deo et monasterio sancti Iohannis apostoli et euangeliste de insula missarum et Canonicis ibidem deo seruientibus · et inperpetuum seruituris · aduocacionem ecclesie

ecclesie ab aliquo Comite uel barone in regno scocie · aliquibus viris religiosis · liberius · quiecius · plenius · et honorificencius in liberam · puram et perpetuam elemosinam dari poterit · et ab ipsis teneri · et possideri · Nos vero et heredes nostri predictam donacionem et concessionem nostram de predicta aduocacione sicut predictum est: contra omnes homines et feminas. warantizabimus · adquietabimus · et deffendemus · Et ut hec nostra donacio · concessio et Carte nostre confirmacio · rata · et stabilis inperpetuum permaneant: hoc scriptum sigilli nostri munimine roborauimus · Hiis testibus · Uenerabili patre Domino Roberto dei gracia Episcopo Dunblanensi. Magistro Thoma eiusdem loci decano · Magistro Augustino Dunblanensi archidiacono · Domino Beda rectore ecclesie de Mothyethe · Domino Patricio de Graham · Domino iohanne de striuelyne · Domino Willelmo de Morauia filio Domini Malcolmi de Morauia · Militibus · et multis aliis.

CXIII

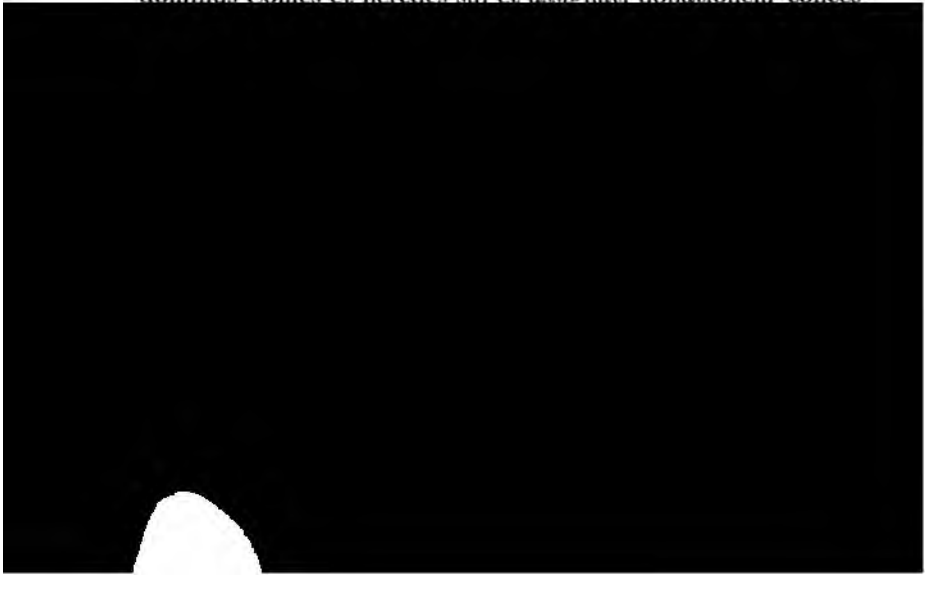
Conuencio cirograffata Inter comitem et Monasterium · de xx marcis apud dunyn pro secundis decimis.[1] 1283.

C I R O G R A P H V S

Ad perpetuam rei memoriam notum sit vniuersis quod cum religiosi viri Abbas et conuentus de Insula Missarum a nobili viro domino Malisio Comite de Stratherne de omnibus augmentis et incrementis vniuersorum reddituum suorum firmarum et canorum tam in denariis quam in frumento · farina · braseo · caseo carnibus · piscibus · placitis · querelis et omnibus aliis bonis et obuentionibus que dicto comiti ab anno domini Millesimo ducentesimo quadragesimo septimo accreuerunt seu accrescere potuerunt · sibi nomine secundarum decimarum cum instancia peterent ex integro satisfieri que prefati religiosi sibi

[1] From the original, Dupplin, No. 110. The word *Cirographus* is upside down. The earl's large seal is broken away, but his 'Secretum' remains entire, in white wax. Four other seals lost; three tags remain. See facsimile. The Indorsement adds, 'scripta in libro.' The Indenture is not in the existing Register.

ex donatione et concessione Comitum de Stratherne predecessorum suorum deberi asserebant: Idem dominus Comes habita cum discretis viris deliberatione prouida et amicorum suorum fretus consilio ne ab ipso uel heredibus suis de cetero talia exigi poterunt in perpetuum Die annunciationis beate Marie anno gracie Millesimo ducentesimo octogesimo tercio intrante: dedit concessit et presenti scripto confirmauit deo et Monasterio sancti Iohannis apostoli et ewangeliste de Insula missarum · et Abbati et canonicis predictis deo ibidem seruientibus et in perpetuum seruituris in liberam puram et perpetuam elemosinam viginti Marcas annui redditus de Thanagio de Dunyne et de Petikarne per manus illorum qui pro tempore dictas terras tenuerint singulis annis in perpetuum percipiendas ad tres anni terminos videlicet ad festum pentecostes tres Marcas de Dunyn et quinque marcas de Petikarne · et ad festum sancti petri quod dicitur aduincula proximo sequens quatuor marcas de Thanagio de Dunyn que ipsi Comiti pro fretellis dari consueuerunt · et ad festum sancti Martini in hyeme tres marcas de Dunyne et quinque marcas de Petikarne · Tenendum et habendum dictum redditum viginti marcarum ipsi monasterio sicut predictum est de supradicto Comite et heredibus suis uel assignatis in perpetuum · ita libere quiete plenarie et pacifice: sicut aliquis redditus ab aliquo comite uel barone in regno Scocie aliquibus viris religiosis · liberius · quiecius plenius et honorificencius in liberam puram et perpetuum elemosinam dari potest et ab ipsis teneri et possideri · Et dictus dominus Comes et heredes sui et assignati donationem conces-



resignarunt et quietum clamarunt · Ceteris tamen articulis et donationibus omnibus et singulis aliis in cartis dictorum Comitum predecessorum suorum contentis predicta augmenta et incrementa non tangentibus : in suo robore duraturis · In cuius rei testimonium et ad maiorem securitatem ne de premissis in posterum aliqua inter partes oriatur hesitacio : facta est hec scriptura in modum Cyrographi ita quod parti Cyrographate penes dominum Comitem residenti : appositum est sigillum commune Monasterii vna cum sigillis venerabilis patris · Roberti dei gracia episcopi Dunblanensis et ipsius loci capituli qui premissis omnibus consenserunt et auctoritatem dederunt et dominorum Patricii de Graham et Wilelmi de Morauia militum · Parti uero alteri penes Monasterium residenti : appensum est sigillum domini Comitis · vna cum sigillis Episcopi Capituli et militum predictorum · Hiis testibus venerabili patre domino Roberto dei gracia Episcopo Dunblanensi · Magistro Thoma eiusdem loci decano · Magistro Augustino Dunblanensi Archidiacono · Domino Beda rectore ecclesie de Mothiethe · domino Patricio de Graham · domino Iohanne de Striuelin · domino Wilelmo de Morauia filio domini Malcolmi de Morauia militibus et multis aliis.

CXIV

Carta xx marcarum de dunyne.[1] 1283.

Omnibus hoc scriptum visuris vel audituris Malicius comes de stratheryn salutem in domino sempiternam Noueritis nos dedisse concessisse et hac presenti carta nostra confirmasse deo et Monasterio sancti Johannis[2] apostoli et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris in liberam puram et perpetuam elemosinam pro resignacione et quita clamacione quas ipsi Religiosi nobis et heredibus nostris inperpetuum fecerunt pro se et successoribus suis de Jure quod eis competebat vel competere[3] poterit

[1] Reg. (see *Lib. Ins. Mis.* No. 14).
[2] *Johannis* repeated in Reg.
[3] Reg. has *competere potere poterit.*

infuturum in augmentum et incrementum secundarum decimarum nostrarum ab anno domini Millesimo cc^mo quadragesimo septimo in posterum viginti marcas annuas de thanagio de Dunyne et Peticarne per manus illorum qui pro tempore dictas terras tenuerint ad tres anni terminos inperpetuum percipiendas videlicet ad festum Penticostes tres Marcas de Dunyn et quinque Marcas de Petcarn et ad festum sancti Petri quod dicitur a[d]uincula proximum sequens quatuor marcas de thanagio de Dunyne que nobis pro frecellis dare consueuerunt et ad festum sancti Martini in yeme tres Marcas de Dunyne et quinque Marcas de Petkarn preter viginti Marcas quas predicti viri Religiosi prius optinuerunt de Dunyn ex dono Malisij quondam bone memorie patris nostri Tenendas et habendas predictas viginti marcas annuas in predictis locis percipiendas vt predictum est de nobis et heredibus nostris seu assignatis sibi et successoribus suis bene in pace ita libere quiete plenarie et honorifice sicut aliquis redditus ab aliquo comite vel barone in rigno scocie aliquibus viris Religiosis liberius quiecius plenius et honorificencius in liberam puram et perpetuam elemosinam dari poterit et ab ipsis teneri et possideri Ceteris eciam articulis et donacionibus omnibus et singulis aliis in cartis bone memorie Gilberti proaui [1] nostri et Malicij patris nostri quondam comitum de stratheryn contentis augmenta et incrementa [2] non tangentibus in suo robore duraturis Nos vero et heredes nostri et assignati predictas viginti Marcas prefato monasterio et canonicis predictis sicut predictum est contra omnes homines et feminas warantizabimus

CXV

Carta de decim marcis in Petcarn.[1] 1283.

Omnibus has literas visuris vel audituris Malisius comes de stratheryn filius et heres Malisij quondam comitis de stratheryn salutem eternam in domino Noueritis nos assignasse abbatem et conuentum de insula missarum ad decim Marcas[2] argenti de tenemento nostro de Peccarn annuatim et inperpetuum percipiendas ad duos anni terminos videlicet medietatem ad festum Penticostes et aliam medietatem ad festum sancti Martini in Ieme Quare volimus concedimus et firmiter precipiendo mandamus Makbeth filio fferchware libere tenenti nostro predicti tenementi et heredibus suis vel assignatis quibuscumque quatinus nulli balliuorum nostrorum nec alicui alij nisi tantummodo abbati et canonicis de Inchaffrin vel eorum assignatis de predictis decim marcis ad dictos terminos persoluendis aliquo tempore respondeant sed easdem prefatis religiosis vel eorum attornatis seu assignatis sicut predictum est fideliter et absque dampno dilacionis plenarie persoluant In cuius rei testimonium presentibus sigillum nostrum apponi fecimus Datum apud Innyrpefyr in crastino annunciacionis beate Marie uirginis Anno gracie Millesimo cc^mo^ octogesimo tertio.

CXVI

Ratificacio domini Johannis de Jonstone de firma de strathy.[3] 1284.

Omnibus hoc scriptum visuris vel auditurus Johannes de Jonstone Miles salutem eternam in domino Noueritis me ratas et gratas habere ac firmas et stabiles tenere donacionem et concessionem quas domina Maria sponsa mea Monasterio de insula missarum et canonicis eiusdem de consensu meo fecerat de quadam porcione annue[4] pencionis centum solidorum argenti quo ad uixerit percipienda a dictis canonicis de tenemento suo de strathy ad duos anni terminos prout in carta super hoc

[1] Reg. (see *Lib. Ins. Mis.* No. 30).
[2] *Marcas* repeated in Reg.
[3] Reg. (see *Lib. Ins. Mis.* No. 55).
[4] Reg. *annui.*

confecta plenius continetur et ne donacio et concessio predicta ea occasione quod dicta Maria tempore dicte donacionis facte michi in lege conjugij fuerat [ ][1] aliquam inposterum paciatur calumpniam voluntatem meam et consensum meum expressum in hijs affuisse per presentes literas sigillo meo roboratas exprimo et declaro Datum apud strathy in vigilia sancte trinitatis Anno gracie Millesimo cc^mo octogesimo quarto.

CXVII

[Protectio Malisii comitis de succursu per religiosos facto.[2]]

1287.

Omnibus cristi fidelibus has litteras visuris uel audituris Malisius Comes de stratherne Salutem eternam in domino · Nouerit vniuersitas vestra quod licet viri Religiosi Monasterii nostri de Insula Missarum nobis de hominibus suis succursum fecerunt pro pace et tranquillitate Regni scocie sustinendis post obitum felicis recordacionis Domini Alexandri Regis scotorum illustris · volumus tamen quod ex illa curialitate quam nobis ex sua speciali gracia tunc fecerunt: Dictis Religiosis aut eorum successoribus uel Monasterio suo nullum fiat alias preiudicium · nec per nos nec heredes nostros aliquo tempore inducatur · uel petatur in consuetudinem. cum ab huiusmodi exaccionibus per infeodacionem antecessorum nostrorum Comitum de stratherne penitus sint quieti · In cuius rei testimonium presentibus sigillum nostrum apponi fecimus · Datum apud predictum monasterium In crastino Pente-

vera salus · Noueritis quod cum vicaria de strugeth per mortem bone memorie Magistri Ricardi de striuelyn quondam eiusdem loci vicarii de iure et de facto vacaret: et venerabilis pater dominus · W · dei gracia Episcopus Dunblanensis credens ius conferendi eandem vicariam sibi suo iure competere eam nostri contemplacione domino Iohanni de legirdwode tunc capellano nostro de facto conferret: Religiosi viri abbas et conuentus Monasterii de Insula Missarum · asserentes tam ex largicione comitum predecessorum nostrorum quam ex concessione pontificum ecclesie Dunblanensis ac speciali confirmacione capituli loci eiusdem se veros esse patronos et ius presentandi ad eandem vicariam ad ipsos de iure pertinere · collacioni per ipsum episcopum prefato Iohanni prout supradictum est de facto facte indilate se opposuerunt · et per publica instrumenta sigillis predictorum predecessorum nostrorum necnon et predecessorum prefati Domini Episcopi · ac capituli supradicti signata · et auctoritate apostolica confirmata · ac eciam per fidedignos quamplures omni excepcione maiores in presencia predicti Domini Episcopi et nostra · presentibus Domino · I. tunc abbate de kambuskynethe Magistris · W · de Monros tunc archidiacono Dunblanensi. W · de striuelyne · Roberto de Dunde · et alpinio[1] tunc Canonicis loci eiusdem · Domino · N · tunc rectore de Crefe · Alano de kynbuk · Colino filio gilleglas · Malcolmo de kinros · Moynache filio alpini · et multis aliis · liquide ostenderunt. et euidenter probarunt se veros esse patronos Memorate vicarie · et quod ius presentandi ad eandem ad ipsos indubitanter pertinet · et quod predicti Religiosi sunt in pacifica possessione presentandi ad eandem. Propter quod prefatus dominus Episcopus tractatu habito nobiscum et cum clero ecclesie sue prelibate · volens prout ex officio tenetur · et nos ex debito affectare · et deffensare tenemur iura et libertates predictorum Religiosorum illibata conseruare · et conseruata deffendere · predictos abbatem et conuentum veros esse patronos eiusdem vicarie · et ius presentandi ad eandem ad eosdem pertinere necnon et ipsos in pacifica possessione presentandi esse / causa cognita decreuit · et

[1] A dot under the last *i* of *alpinio*, perhaps in token of deletion.

publice pronunciauit · ac predictum Iohannem capellanum ad eorundem Religiosorum tanquam verorum patronorum presentacionem admisit prout ex litteris ipsius Episcopi perpendi potest · quas sigillo suo signatas non abolitas uel cancellatas nec in aliqua sui parte viciatas in forma que sequitur ad plenum perspeximus · Omnibus cristi fidelibus has litteras inspecturis · W · miseracione diuina Episcopus Dunblanensis eternam in Domino salutem · Noueritis quod cum confereremus vicariam ecclesie de strugethe vacantem per mortem magistri Ricardi quondam dicte ecclesie vicarii de iure · et de facto · credentes nos ius conferendi dictam vicariam habere ex relatu quorundam subditorum nostrorum / tandem facta diligenti inquisicione per fidedignos omni excepcione maiores · ac inspectis quibusdam publicis monumentis sigillis predecessorum nostrorum · ac predecessorum domini · M · comitis de stratherne signatis · inuenimus dictos Religiosos clarum Ius presentandi habere · et in possessione presentandi esse ad eandem · Quare volentes ius suum vnicuique tribuere · et nulli quod suum est auferre · prout tenemur et artamur ex merito pastoralis officii ipsos predictos Religiosos ad presentandum ad vicariam dicte ecclesie · et Ius presentandi ad eam decreuimus habere · ac ad eorundem presentacionem nobis infra tempus a iure statutum factam Dominum Iohannem cappellanum dictum de Legirdwode ad dictam vicariam admisimus · et in corporalem possessionem induci fecimus · In cuius rei testimonium Sigillum nostrum autenticum presentibus appossuimus · Datum apud ahir

CXIX

Confirmacio Episcopi Glasguensis super collacione Ecclesie de Butbren.[1] 1303.

Vniuersis presentes litteras inspecturis Robertus miseracione diuina Ecclesie Glasguensis Minister humilis salutem eternam in domino · Spoliacionibus et combustionibus ac innumeris afflíccionibus quas viri Religiosi Abbas et Conuentus Monasterii de Insula missarum per communem guerram multipliciter sustinuerunt pie compacientes ˙ ac illorum miserias / paupertatem et angustias quantum in nobis est releuare volentes Ecclesiam de Buthbrene nostre diocesis cuius Jus patronatus dominus Thomas de Cromennane Miles caritatiue contulerit dictis Religiosis ˙ ipsam collacionem in omnibus ratam habentes ˙ dictam ecclesiam cedente uel decedente Rectore eiusdem dictis Religiosis in proprios vsus de consensu Capituli nostri concedimus · Omnem defectum si quis fuerit in dicta collacione de plenitudine ordinarie potestatis nostre penitus supplentes ˙ saluis Iuribus episcopalibus et Archidiaconalibus et quod per simplicem Capellanum secularem vel vnum de Canonicis dicti Monasterij predicte ecclesie et parochie honorifice deseruiatur sine alicuius vicarii constitucione ad quod nolumus dictos Religiosos aut eorum successores aliqualiter compelli · In cuius Rei testimonium sigillum nostrum auctenticum presentibus est appensum. Datum apud Balindarge in Anegus Tercio die Octobris · Anno gracie · Millesimo Tricentesimo Tercio.

CXX

[Commissio Clementis v. Pape ad bona monasterii recuperanda.[2]] 1307.

Clemens Episcopus seruus seruorum dei · Dilecto filio · · Abbati Monasterij de Culros Dumblanensis diocesis · Salutem

[1] From the original, Dupplin, No. 108. Of the seal, in white wax, the greater part remains.

[2] From the original, Dupplin, Bull No. 13. The Bulla remains attached by

et apostolicam benedictionem · Ad audientiam nostram peruenit quod tam dilecti filij · · Abbas et Conventus Monasterij de Insula Missarum ordinis sancti Augustini Dumblanensis diocesis quam predecessores eorum decimas terras domos uineas prata pascua nemora molendina siluas maneria grangias piscarias iura iurisditiones et quedam alia bona ipsius Monasterij datis super hoc litteris confectis exinde publicis instrumentis interpositis iuramentis factis renunctiationibus et penis adiectis in grauem eiusdem Monasterij lesionem nonnullis clericis et laicis aliquibus eorum ad uitam quibusdam uero ad no[n] modicum tempus et alijs perpetuo ad firmam uel sub censu annuo concesserunt · quorum aliqui super hijs in communi forma confirmationis litteras a sede apostolica impetrasse dicuntur · Quia uero nostra interest super hoc lesis Monasterijs subuenire discretioni tue per apostolica scripta mandamus quatinus ea que de bonis eiusdem Monasterij per concessiones huiusmodi alienata inueneris illicite vel distracta Non obstantibus litteris instrumentis renunctiationibus iuramentis penis et confirmationibus supradictis / ad ius et proprietatem eiusdem Monasterij legitime reuocare procures · Contradictores per censuram ecclesiasticam appellatione postposita compescendo · Testes autem qui fuerint nominati si se gratia odio uel timore subtraxerint censura simili appellatione cessante compellas ueritati testimonium perhibere · Datum Pictauis xv kalendas Decembris. Pontificatus nostri Anno Tertio.

presentes et futuri nos pro salute anime nostre et pro salute animarum predecessorum et successorum nostrorum regum scocie dedisse et concessisse et hac carta nostra irreuocabiliter confirmasse deo et ecclesie sancti Johannis apostoli et euangeliste de insula missarum et canonicis ibidem deo seruientibus et inperpetuum seruituris totam terram nostram de Cardny et de Dolcorachy in thanagio de fforteuyot cum pertinencijs Tenendam et habendam eisdem Religiosis in liberam puram et perpetuam elemosinam sine aliquo retinemento inperpetuum per omnes Rectas metas et diuisas suas et cum omnibus libertatibus commoditatibus et aisiamentis suis in boscis et planis pratis et pascuis vijs et semitis moris et marresijs aquis stagnis multuris molendinis petarijs et turbarijs in aucupacionibus venacionibus nemoribus et piscarijs et cum omnibus alijs justis pertinencijs suis tam non nominatis quam nominatis ad dictam terram pertinentibus aut inposterum pertinere valentibus adeo libere et quiete[1] integre plenarie pacifice et honorifice ab omni seruicio seculari exaccione seruili consuetudine seu demanda que per nos aut successores nostros inposterum inde poterunt exigi seu demandari sicut aliqua terra elemosinata in toto rigno nostro ex dono Regum scocie predecessorum nostrorum liberius quiecius plenius seu honorificencius tenentur seu possidentur [*sic*] In cujus rei testimonium presenti carte nostre sigillum nostrum precipimus apponj hijs testibus Bernardo Abbate de Aberbrothok cancellario nostro Roberto Abbate de Dunfermlyn Malcolmo comite de Leuynax Johanne de Mene[te]th Gilberto de haya hugone de Ertht et Roberto de keith Marascallo nostro scocie Militibus Apud fontem scocie xvj die februarij anno rigni nostri octauo.

CXXII

[Commissio Johannis XXII. Pape ad bona monasterii recuperanda.[2]] 1316/7.

Johannes Episcopus servus servorum Dei · Dilecto filio Dunicano Precentori Ecclesie Dunkeldensis Salutem et apos-

[1] Reg. repeats *quiete*.

[2] Antiquaries' MS., pp. 108 and 291.

tolicam benedictionem · ad audientiam nostram pervenit · quod tam dilecti filii · · Abbas et Conventus Monasterii de Inchaffray Ordinis Sancti Augustini Dumblanensis diocesis quam predecessores eorum · decimas · terras · domos · prata · pascua · nemora · molendina · Grangias · Jura · Jurisdictiones et quedam alia bona ipsius Monasterij · datis super hoc litteris · confectis exinde publicis instrumentis · interpositis Juramentis · factis renunciationibus · et penis adjectis in gravem ejusdem Monasterij lesionem · nonnullis Clericis et Laicis aliquibus eorum ad vitam quibusdam vero ad non modicum tempus et alijs perpetuo ad firmam vel sub censu annuo concesserunt · quorum aliqui dicuntur super hijs confirmationis litteras in forma communi a sede apostolica impetrasse. Quia vero nostra interest super hoc de oportuno remedio providere · discretioni vestre per apostolica scripta mandamus · quatinus ea que[1] de bonis ipsius Monasterii per concessiones hujusmodi alienata inveneris · illicite vel distracta · non obstantibus Litteris · Instrumentis · Juramentis · Renunciationibus · penis et confirmationibus supradictis ad jus et proprietatem ejusdem Monasterii legitime revocare procures · Contradictores per censuram Ecclesiasticam appellatione postposita compescendo. Testes autem qui fuerint nominati si se[2] gratia · odio vel timore subtraxerint censura simili · appellatione cessante compellas veritati testimonium perhibere. Datum avinione xvij Kalendas ffebruarii · Pontificatus nostri anno primo.

ecclesie de kyllyn in Glendochyrthe cum omnibus libertatibus fructibus et pertinencijs omnimodis ad dictam ecclesiam qualitercumque pertinentibus Ita tamen quod dicti Abbas et conuentus inperpetuum inueniant vnum canonicum diuina scelebrantem in ecclesia de strathfulane In cuius rei testimonium presentibus sigillum nostrum priuatum fecimus apponi Datum apud Clakmanane xxvj die februarij Anno Rigni nostri duodecimo.

CXXIV

Carta Roberti regis sub magno sigillo de ecclesia de kyllyn.[1] 1318.

Robertus Dei gracia Rex scottorum omnibus probis hominibus tocius terre sue tam clericis quam laicis salutem Sciatis nos pro salute anime nostre et pro salute animarum omnium antecessorum et successorum nostrorum Regum scocie Dedisse concessisse et hac presenti carta nostra confirmasse deo et beate Marie virgini et beato Johanni apostolo et euangeliste et Religiosis viris Abbati et conuentui de Insula missarum jus patronatus ecclesie de Kyllyn in Glendorithe Tenendum et habendum dictis Religiosis et eorum successoribus inperpetuum cum omnibus libertatibus commoditatibus aysiamentis et justis pertinencijs suis in liberam puram et perpetuam elemosinam adeo libere et quiete plenarie et honorifice sicut aliqua elemosina in Rigno scocie per nos aut predecessores nostros aliquibus in elemosinam concessa liberius seu quiecius tenetur seu possidetur In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum Testibus Bernardo Abbate de Abbirbrothok cancellario nostro Willelmo de lyndesay camerario nostro Waltero senescallo scocie Jacobo domino de Dowglas Roberto de kethe Marescallo nostro Johanne Wissard et Allexandro de setone Militibus apud Beruycum super twedam Duodecimo die Apprilis Anno Rigni nostri terciodecimo.

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[1] Reg. (see *Lib. Ins. Mis.* No. 83).

CXXV

1318. Mandatum regis Roberti quod teneatur tenor carte Abbatis Insule missarum.[1]

Robertus dei gracia Rex Scotorum Camerario suo scocie uel cuicunque locum suum tenenti · et vicicomiti de perth et quibuscunque suis ministris qui pro tempore fuerint salutem · Mandamus vobis precipientes Quatinus plenarie teneri faciatis domino Abbati et conuentui de Insula missarum tenorem Carte sue de terris de Cardenay et de dalchorrachy in quibus per nos infeodantur in omnibus et singulis articulis suis et libertatibus in dicta Carta contentis saluo solummodo quod ipsi Abbas et conuentus nobis et heredibus nostris de dictis terris respondeant prout alij Religiosi Regni nostri in terris elemosinatis infeodati nobis et heredibus nostris respondebunt Datum apud litwy vicesimo septimo die Iulij Anno rigni nostri terciodecimo.

CXXVI

1318. Confirmacio Willelmi episcopi de dicta ecclesia de kyllyn.[2]

Vniuersis sancte matris ecclesie filijs ad quos presentes littere peruenerint Willelmus miseracione diuina ecclesie Dunkeldensis minister humilis · salutem in domino sempiternam · Nouerit vniuersitas vestra · nos de vnanimi consensu et assensu

posicionem sui Abbatis · Deo inperpetuum [seruituris in capella Sancti Felani in Blendochred [*sic*] nostre diocesis · ibidem per predictum Abbatem qui pro tempore fuerit mittendis · ponendis et amouendis · Ita tamen quod secundum situm loci et facultates eiusdem sufficiens numerus canonicorum inibi ordinetur et inueniatur · Ecclesiam de Killyn · cuius ius patronatus Dominus noster Dominus Robertus Dei gracia Rex Scotorum illustris ipsius Ecclesie verus patronus prius concessit dictis Religiosis · cum terris et omnibus alijs redditibus · obuencionibus et iuribus quibuscunque ad dictam Ecclesiam pertinentibus seu pertinere valentibus · ad vsus suos proprios; saluis nobis et successoribus nostris inperpetuum Episcopalibus et Archidiaconis Ecclesie Dunkeldensis qui pro tempore fuerint · omnibus que de dicta Ecclesia solebant habere seu percipere · Ita videlicet quod omnes fructus et prouentus dicte Ecclesie cum pertinencijs conuertantur per ordinacionem predicti Abbatis in vsus Prioris et Canonicorum commorancium ad dictam Capellam pro cultu diuino · Et prior presentandus ad prioratum dicte Capelle per Abbatem et Conuentum dicti Monasterij quocienscunque et quandocunque ipsum prioratum contigerit vacare · nobis et successoribus nostris presentetur · et a nobis et successoribus nostris instituatur · et curam suscipiat · Et sciendum est · quod predicti Religiosi viri Abbas et Conuentus dicti Monasterij presentabunt nobis et successoribus nostris qui pro tempore fuerint ad vicariam dicte Ecclesie de Killyn · vnum Canonicum vel vnum capellanum secularem si quem maluerint · qui curam dicte Ecclesie [gerat][1] et respondeat de eadem · cuius porcionem pro sustentacione sua et pro iuribus nostris Episcopalibus et Archidiaconalibus soluendis · taxamus decem libras sterlingorum et volumus taxari in futurum. In cuius rei testimonium presentibus sigillum nostrum apposuimus · Et ad huius rei euidenciam pleniorem et confirmacionem maiorem sigillum commune capituli nostri presentibus est appensum. Datum apud Dunkeldene in capitulo nostro · Die Iouis proxima ante festum apostolorum Symonis et Iude · anno Domini Milesimo Tricentesimo decimo Octauo].

[1] Blank in MS. Supplied by conjecture.

CXXVII

1318. [Confirmatio decani et capituli Dunkeldensis super eadem.[1]]

Universis Cristi fidelibus has litteras visuris vel audituris · Decanus et Capitulum Ecclesie Dunkeldensis · Salutem in Domino sempiternam · Noverit universitas vestra · nos cartam donationis facte Religiosis viris Abbati et Conventui de Insula Missarum per Reverendum patrem Dominum Willelmum Dei gratia Episcopum Dunkeldensem vidisse et inspexisse · non cancellatam non abolitam · nec in aliqua parte sui viciatam · in forma que sequitur. Universis etc. [*ut in carta precedente*]. Quam donationem · collationem et concessionem approbamus · ratificamus et per presentes confirmamus; Et si quid per incuriam vel per negligentiam in dicta carta fuerit omissum · id ex certa scientia supplemus per presentes. In cujus rei testimonium commune sigillum Capituli nostri presentibus apposuimus. Datum in Capitulo nostro die Iovis proxima ante festum Apostolorum Symonis et Iude · anno Domini Milesimo Tricentesimo decimo Octavo.

CXXVIII

1329. Donatio et quita clamatio de vna marca anui redditus de tulibardyn.[2]

et me sepius litis altercacione tandem ad ordinacionem venerabilis patris in cristo domini Mauricij dei gracia episcopi dunblanensis cognita rei veritate euidenter repertum erat quod prefati Religiosi et suum monasterium fuerunt in possessione pacifica a tempore cuius non exstat memoria illam marcam vt premittitur recipiendi secundum quod in literis donacionum antecessorum meorum inde confectis plenius Dicitur contineri Deum enim habens pre oculis votaque pia parentum meorum infringere nolens sed potius augens nec dictos religiosos vlterius vexari iniuste cup[i]ens totam clamacionem per me ortam seu habitam vel per me aut heredes meos aliquo modo titulo vel tempore in dicta marca decetero habendam eisdem Religiosis sponte et penitus resigno et prenominatam marcam vt predictum est quolibet anno percipiendam deo et beate Marie et beato Johanni apostolo et euangeliste et canonicis prefate insule pro salute anime mee et animarum predecessorum successorum et parentum meorum in puram et perpetuam elemosinam per presentes irreuocabiliter confirmo et si quid in donacionibus predecessorum meorum defuit supplere non recuso et vt hec confirmacio mea robur firmitatis optineat inperpetuum subicio me et heredes meos ac omnes possessiones nostras cohercioni et jurisdiccioni episcoporum et ordinariorum ecclesie Dunblanensis qui pro tempore fuerint sub pena centum solidorum fabrice dunblanensi applicandorum si contingat nos quod absit in parte vel in toto vt premissum est deficere seu contra hanc confirmacionem aliqualiter venire nullo in contrarium contra presens scriptum inposterum proponendo obstante Ego vero Andreas et heredes mei predictam marcam prefatis religiosis inperpetuum warantizabimus et defendemus In cuius rei testimonium presenti scripto sigillum meum apposui et ad pleniorem euidenciam dictis religiosis faciendam sigilla venerabilis patris domini Mauricij dei gracia episcopi Dunblanensis et domini donaldi decani eiusdem presentibus sunt appensa Datum in festo beati Beani episcopi et confessoris Anno domini Millesimo ccc^{mo} vicesimo nono.

CXXIX

1339. ## [Littere Mauricii de Moravia.[1]]

Vniversis has litteras inspecturis vel audituris · Mauricius de Morauia Dominus de Drumsergarthe salutem in domino et amorem · Quod gratis alicui conceditur in dampnum concedentis non decet redundare · hinc est quod viri Religiosi Abbas et Conuentus de Insula Missarum nobis pro tempore vite nostre terram suam de Balmacgillon · vna cum sex marcis annui redditus sui de terra de Abercarny · pro consilio · labore · et auxilio eis per nos factis et faciendis nomine annue pensionis mere et sponte assignarunt · vt in scripto suo inde confecto continetur. Volumus igitur et concedimus per presentes · pro nobis · heredibus · nostris siue assignatis · vt ex hoc predictis Religiosis post decessum nostrum · nullum preiudicium aliquo tempore inde generetur · set quod dicta terra de Balmacgillon · cum predictis sex marcis prefatis Religiosis in perpetuum libere reuertatur · sine aliqua perturbacione heredum nostrorum · aut assignatorum · In cuius rei testimonium presenti scripto sigillum nostrum apposuimus · Et ad pleniorem euidenciam · sigillum venerabilis patris domini Mauricii dei gracia Episcopi Dunblanensis est appensum . Datum apud Insulam Missarum · die Iouis in festo apostolorum simonis et Iude · Anno domini · M°·ccc°·xxx° nono.

fuisse et esse possessos annuatim percipiendi de tenemento de Donyn · Quadraginta duas marcas sterlingorum annuj redditus ex donacione et concessione Comitum de Strathern in puram et perpetuam elemosinam De quo redditu ob inoportunitatem gwerre ac propter paucitatem Incolarum inhabitancium tempore confeccionis presencium parum perceperunt · vnde sub spe maioris emolumenti pro commodo eorum in futuro augmentando / prefati Religiosi dictum suum annuum redditum / excepto redditu suo annuo decem Marcarum de terra de Peckaryn · Nobili viro domino Mauricio de Morauia domino de drumsergartht Militi dictorum Religiosorum amico speciali pro termino decem annorum a festo Pentecostes Anno domini M°·CCC° · quadragesimo quarto plenarie complendorum nomine pensionis concesserunt ac dimiserunt · Reddendo inde causa possessionis et recognicionis dicti Redditus annuj eisdem Religiosis per primos quinque annos vnam petram cere quolibet anno ad festum purific[acionis] Et per alios quinque annos · vltimos · duas petras cere vt supra soluendas. Prestando eciam fideliter eisdem Religiosis consilium suum et auxilium in negociis eorum ac Monasterij commoditatibus / ipsos autem Religiosos / terras que possessiones suas / Iura ac libertates eorundem defendendo · protegendo / et manutenendo pro viribus suis tanquam iura sua propria / necnon et bona ac redditus ipsorum Religiosorum per balliuos suos compellendo. Et si contingat ipsum dominum Mauricium infra predictos decem annos qualitercumque decedere · ac post lapsum dictorum decem annorum quod dictus annuus redditus absque contradiccione aliqua seu clamio heredum / executorum / aut assignatorum dicti domini Mauricij ad prefatos Religiosos libere et penitus inde reuertatur · Ad que premissa firmius ac fidelius obseruanda partes predicte bona fide ac pura consciencia se adinuicem obligarunt. In cuius rei testimonium parti huius Indenture penes predictum dominum Mauricium · remanenti appositum est sigillum commune dictorum Religiosorum . parti vero penes ipsos Religiosos residenti appensum est sigillum dicti domini Mauricij Et ad maiorem euidenciam vtrique parti appositum est sigillum venerabilis patris in cristo domini Mauricij dei gracia Episcopi Dunblanensis · Datum in festo beati Mathie apostoli · Anno · domini · M°·ccc°· Quadragesimo Tercio.

CXXXI

1348. ## Confirmatio ecclesie de kyllyn.[1]

CLEMENS episcopus seruus seruorum dei / Dilectis filijs · · Abbati et Conuentui Monasterij Insulemissarum ordinis sancti Augustini Dumblanensis diocesis salutem et apostolicam benedictionem · Cum a nobis petitur quod iustum est et honestum tam uigor equitatis quam ordo exigit rationis ut id per solicitudinem nostri officij ad debitum perducatur effectum · Sane petitio uestra nobis exhibita continebat / quod clare memorie Robertus Rex Scotie Illustris de propria salute cogitans et cupiens terrena in celestia et transitoria in eterna salubri commertio commutare jus patronatus ecclesie de kyllyn dunkeldenensis [*sic*] diocesis tunc ad eum pertinens pro suo ac parentum suorum animarum remedio vobis et Monasterio uestro pia ac prouida liberalitate donauit prout in patentibus litteris inde confectis eiusdem Regis sigillo munitis plenius dicitur contineri · Nos itaque uestris supplicationibus inclinati quod super hoc ab eodem Rege pie ac prouide factum est ratum et gratum habentes id auctoritate apostolica confirmamus et presentis scripti patrocinio communimus · Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere uel ei ausu temerario contraire · Siquis autem hoc attemptare presumpserit indignationem omnipotentis dei et beatorum Petri et Pauli Apostolorum eius se nouerit incursurum · Datum Auinione Idibus Nouembris Pontificatus nostri

porum sanctiandree et Dunblanensis et domini Rogeri quincy comitis Wyntonie[1] constabillarij scocie roborata non cancellata nec in aliqua sui parte viciata bene et decenter cyrographata certificari nos et successores nostros Archidiaconos Dunblanenses firmiter obligatos teneri dictis Abbati et conuentui de insula missarum et successoribus suis in viginti solidis sterlingorum annuatim soluendis eisdem vel suo certo assignato ad festum sancti Martini in yeme apud nesgask pro decimis et omnibus rebus alijs quas dicti domini Abbas et conuentus percipere solebant de terra que dicitur Pettynefiue racione ecclesie sue de Gask cristi et quas nos possidemus racione ecclesie nostre de nesegask gracia composicionis inter predecessores nostros facte sicut in indentura super hoc confecta plenius continentur et hoc omnibus quorum interest tenore presencium significamus In cuius rei testimonium presentibus sigillum nostrum apposuimus et in euidencius testimonium sigillum venerabilis in cristo patris domini Willelmi dei gracia episcopi Dunblanensis et domini laurencii Prioris de Abbirnethi apponi procurauimus datum apud Dunblane die Mercurij[2] xj die mensis apprilis anno ab incarnacione cristi Millesimo ccc^mo^ quinquagesimo octauo.

CXXXIII

Donacio xl marcarum de thanagio de duni[n]g.[3] 1358.

Robertus senescallus scocie Comes de strathern omnibus Maris suis de Donyn quicumque fuerint pro tempore Salutem · Quia in Curia nostra tenta apud Creffe octauo die Mensis Maij Anno domini M^a^ · tricentesimo quinquagesimo octauo visis et cognitis cartis et monumentis non obolitis[4] non cancellatis nec in aliqua sui parte viciatis Religiosorum virorum dominorum abbatis et conuentus de Insula Missarum de annuo Redditu suo quadraginta duarum marcarum de Thanagio de Donyn ex prouida deliberacione boni consilii nostri statum et possessionem predicti annui Redditus eisdem Religiosis caritatiue[5] dedimus

[1] Reg. *szintona.* [2] Reg. *Mercurie.*

[3] From the original, Dupplin, No. 140 (ii) (=*Lib. Ins. Mis.* No. 23). Seal (appended by a strip of the parchment of the charter) lost. See facsimile.

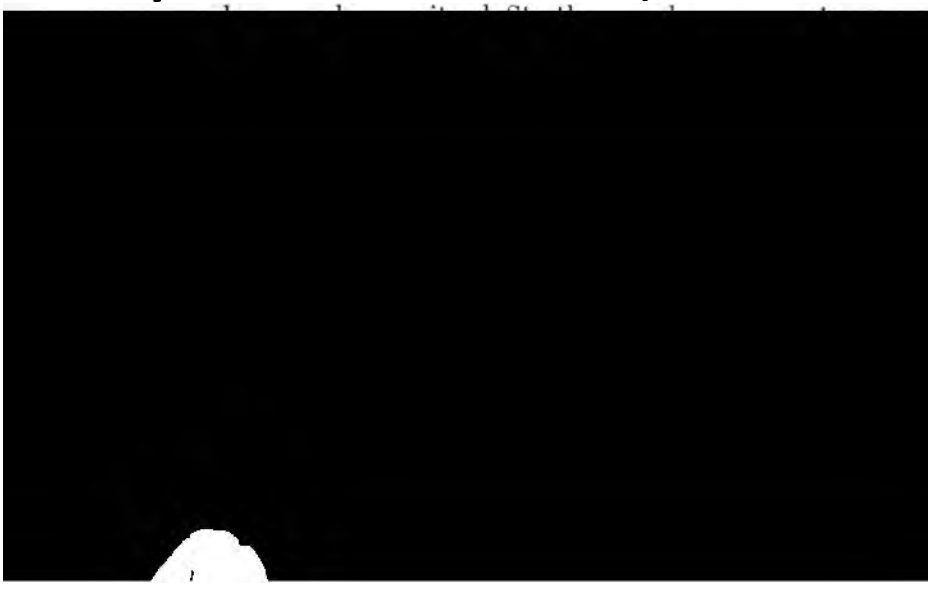
[4] Reg. *abbolitis.* [5] Reg. *caritate.*

et concessimus suo perpetuo percipiendi prout antiquitus percipere consueuerunt · Vobis et cuilibet vestrum qui pro tempore fuerit firmiter precipiendo Mandamus quatinus amodo semper infuturum eisdem Religiosis Responderi faciatis et deseruiri secundum antiquam consuetudinem ad terminos vsuales · Et tenentes dicti Thanagii · ad solucionem prefati Redditus annui pro sua proparte ipsos contingente districte compellatis · sicque facientes in premissis ne pro defectu vestro iustam queremoniam amplius audiamus sub pena que competit · In Cuius Rei testimonium sigillum nostrum presentibus apponi fecimus apud Methfen xiij° · die Mensis predicti Anno supradicto.

CXXXIV

1358. ## Confirmacio roberti Senescalli Scocie super annuo redditu de thanagio terre de Donyn.[1]

Omnibus cristi fidelibus hanc cartam visuris uel audituris Robertus senescallus scotie Comes de Strathern salutem in domino sempiternam // Sciatis nos in Curia nostra tenta apud Creffe octauo die Mensis Maij Anni domini Millesimi trecentesimi quinquagesimi octaui inspexisse et veraciter intellexisse ex prouida deliberacione boni consilii nostri cartas Religiosorum virorum dominorum Abbatis et conuentus de Insula Missarum de annuo redditu suo quadraginta duarum Marcarum de Thanagio de Donyn dato et concesso eisdem Religiosis per nobiles viros bone memorie Malisium primum et Malisium



CXXXV

Concessio quarundam terrarum per neuinum Mac Ewyn et Mariotam vxorem eiusdem.[1] 1365.

Vniuersis cristi fidelibus hoc scriptum visuris vel audituris · Neuinus Mac Ewyn · et Mariota filia et vna heredum Malmorani de Glencharny vxor eiusdem Neuini eternam in domino Salutem · · Nouerit vniuersitas vestra nos mera et spontanea voluntate nostra · habito prius super hoc diligenti et solempni tractatu Consanguineorum et amicorum nostrorum vtili et salubri consilio · concessisse dedisse et pro nostra vtilitate et precipue animarum salute dicti quondam Malmorani et Cicilie / vxoris sue / predecessorum et successorum suorum et pro proparte nostra · quadraginta marcarum sterlingorum · quas dominus Iohannes Miseracione diuina Abbas Monasterii Insule Missarum pro se et conuentu suo tradidit et pacauit in pecunia numerata vendidisse dicto domino Iohanni · Abbati Monasterii antedicti et eiusdem loci conuentui et Successoribus suis · omnes et singulas litteras scripta · instrumenta · et Monumenta · ac totum ius et rectum et successionis clamium · a nobis heredibus et successoribus nostris · quas et que dictus quondam Malmoranus predicessor noster habuit in terris de Achelonsyche que dicitur le Crage · Ardeweny · et Ardbany · infra shiram de Madyrdy existentibus · racione inpignoracionis dictum Monasterium tangentis · quas quidem terras cum pertinenciis dominus Symon de Scona quondam Abbas dicti Monasterii · et eiusdem loci conuentus dicto quondam Malmorano et heredibus suis pro quadraginta libris sterlingorum inpignorauerunt et pignori firmiter obligauerunt sigillo communi Capituli sui et autenticis Multorum aliorum sigillis et priuatis in quam plurimis instrumentis super hoc confectis · · De quarum quadraginta marcarum solucione · propartem nostram tangente nobis plenarie et fideliter facta et in vsum et vtili-

[1] From the original, Dupplin, No. 132. Two seals in red wax remain, viz. those of Marion of Glencharny and the Dean of Dunblane, suspended by tags of blue and white brocade. Six other tags remain. Twelve seals in all are said to have been appended. Another indorsement is 'Hic est baronia de madirdy.' See facsimile.

tatem nostram bene conuersa nos bene contentos habemus et pacatos · et prèdictos Abbatem conuentum et Successores suos quietos clamamus et indempnes seruabimus contra omnes homines et feminas in perpetuum · Ad quam quidem concessionis donacionis et vendicionis firmitatem perpetualiter inposterum obseruandam · tactis et iuratis solempniter sanctis dei ewangeliis fideque nostra corporali Mediante in Capella sancte Marie de Inerpefry · coram venerabili in cristo Patre · domino Waltero dei gracia Episcopo Dunblanensi. dominis Adam et Andrea Decano et Archidiacono ecclesie antedicte. dominis Douenaldo et Iohanne de Strougethe et de Mothille perpetuis vicariis · domino Thoma de ffawsyde Milite · Mauricio de Dromyd · Waltero de Morauia domino de Tulybardyn Tristramo de Gorty et Multis aliis : clericis et laicis fidedignis in quorum omnium testimonium vocatis et rogatis · · Nos heredes nostros et Successores firmiter obligamus sub pena ducentarum marcarum sterlingorum fabrice ecclesiarum Dunblanensis et Monasterii antedicti sine remissione soluendarum et applicandarum · · Ac eciam sub pena Maioris excomunicacionis et separacionis a comunione fidelium in personas nostras : heredum et successorum nostrorum ipso facto fulminande · quod nuncquam contra predictarum concessionis donacionis et vendicionis firmitatem aliquo casu vel causa excepcione doli vel mali in quocunque statu casu vel auctoritate nos heredes et successores nostri fuerimus aut fuerint · ausu temerario in periculum animarum nostrarum deuenire presumemus nec aliquid facere temptabimus verbo ·

et successores nostros sub penis premissis · iurisdiccioni cohercioni ac censure ecclesiastice dominorum Episcopi Dunblanensis decani Archidiaconi ac officialium eorundem qui pro tempore fuerint vbicunque locorum fuerimus aut fuerint quod ipsi inspecto tenore presencium sine alicuius cause cognicione vel processu ordinario valeant racione contractus presentis per omnimodam censuram ecclesiasticam nos heredes et successores nostros artius compellere ad inconcussam premissorum obseruanciam · Non obstantibus quibuscunque priuilegiis aut indulgenciis excepcionibus et precipue beneficio legis ipsius valliani cuiuscunque status aut fori temporum preteriti presentis aut futuri impetratis aut impetrandis propositis aut proponendis in foro ecclesiastico aut ciuili · que eisdem viris religiosis aut successoribus suis circa premissa aut premissorum aliquid obesse poterunt et nobis aut vni nostrum heredibus aut successoribus nostris qualitercunque poterunt prodesse · Et si contingat · quod absit nos aut aliquem nostrum nostro perpetuo aliquos aliquem ve heredum et successorum nostrorum in predicte concessionis donacionis et vendicionis obseruanciam et continuacionem eisdem viris religiosis et successoribus suis contrariari aut obiurgari seu alicuius reclamacionis qualitercunque controuersiam Mouere · volumus presentis scripti auctoritate et vigore et ad hoc heredes et successores nostros firmiter obligamus sub omnibus et singulis penis superius annotatis · quod dicta pena ducentarum marcarum plenius leuetur et soluatur ut predicitur · pacto presentis conuencionis nichilhominus in suo vigore irreuocabiliter permanente · In Cuius Rei testimonium sigilla nostra huic scripto nostro perpetue renunciacionis in premissis sunt appensa Et ad Maiorem huius facti firmitatem in perpetuum obseruandam · sigilla nobilis viri et potentis domini Roberti Senescalli Scocie Comitis de Stratherne · Reuerendorum in cristo patrum Walteri Miseracione diuina Episcopi Dunblanensis et Willelmi eadem gracia Abbatis de Scona · dominorum Ade et Andree decani et Archidiaconi ecclesie Dunblanensis ac discretorum virorum domini Thome de ffawsyde Militis · Mauricii de Dromyd Walteri de Morauia · Tristrami de Gorty · Aythe filii Thome tunc balliui de Stratherne antedicto scripto nostro presenti apponi procurauimus · Datum

in ecclesia parochiali de Perthe die veneris [proximo][1] ante festum beati Andree apostoli · · Anno domini Millesimo · Tricentesimo · Sexagesimo · Quinto · · Hiis testibus viris Religiosis dominis Adam de Breichyne Priore fratrum predicatorum de Perthe[1] [· Th]oma de Inchyrethe Priore fratrum Carmelitarum de Tolylom · Andrea perpetuo vicario de Perthe · Reginaldo Capellano parochie eiusdem · Iohanne de Petscoty tunc Aldirmanno · Roberto de Gatmylke · et Malcolmo Barbere balliuis de Perthe · Iohanne Mercere · Iohanne Gylle · Thoma de Spensa · laurencio de Spensa · Thoma de Stratherne · Andrea Bruky burgensibus de Perthe et Multis aliis.

CXXXVI

c. 1370 **Carta de carnbo.**[2]

Omnibus hanc cartam visuris vel audituris Rogerus de Mekfen dominus de eadem salutem in domino eternam Noueritis me spiritu deuocionis ac pura mente et mera pro salute anime mee concessisse dedisse et hac presenti carta mea confirmasse inperpetuum deo et beate Marie et beato Iohanni apostolo et euangeliste de insula missarum ac dilectis meis Abbati et conuentui eiusdem loci in puram et perpetuam elemosinam totam et integram terram meam de Carnibo per rectas metas suas et diuisas et cum omnibus libertatibus commoditatibus et aysiamentis et om[n]imodis pertinenciis ad dictam terram quoquo modo spectantibus vel spectare valenti-

CXXXVII

Carta donacionis terrarum de ochterardour per Willelmum filii [*sic*] malisii.[1] *c.* 1370.

Omnibus presens scriptum visuris vel audituris Willelmus filius Malisij salutem in domino eternam · Sciant presentes et futuri · me sponte et mere / concessisse / dedisse · et in perpetuum confirmasse / in puram et perpetuam elemosinam pro salute anime mee · Deo et beate Marie · et beato Iohanni apostolo et[2] Ewangeliste de Insula Missarum ac Canonicis eiusdem loci / Omnes et singulas particulas terrarum me aliqualiter[3] contingentes infra vel extra villam de huterardor[4] per omnes metas et diuisas suas / cum omnibus suis pertinenciis[5] / Ad inueniendum luminare[6] coram ymagine beate Marie in choro Ecclesie eiusdem loci · Quasquidem terras Ego emi in perpetuum a Iohanne filio baldini[7] · Tenendas et habendas vt predictum est cum omnimodis suis Iuribus · libertatibus et aisiamentis · Saluo duntaxat seruicio domini[8] Regis · In cuius rei Testimonium huic scripto sigillum meum apposui · Et ad maiorem securitatem et pleniorem euidenciam · Sigillum commune burgi de huterardor presentibus apponi procuraui . Hiis testibus Nobilibus viris · dominis Dauid de Graham · et Thoma de ffawsyde militibus / Waltero de Morauia domino de Tholibardyn Iohanne filio Iudicis · bricio bane · Roberto filio Iohannis burgensibus de huterardor · et pluribus aliis.

CXXXVIII

Protectio dauid comitis de Stratherne de subsidijs.[9] 1375.

Omnibus has litteras visuris vel audituris Dauid Comes Palatinus de Stratherne Salutem in domino Cum dilecti

[1] From the original, Dupplin, No. 22 (= *Lib. Ins. Mis.* No. 37). The two seals in white wax are both defaced.

[2] Reg. omits *et*.

[3] Reg. *qualitercunque*.

[4] Reg. *ouchtirardor* (twice below *ouchtirardore*).

[5] Reg. *pertinenciis suis*.

[6] Reg. *illuminare*.

[7] Reg. *baltini*.

[8] Reg. inserts *nostri*.

[9] From the original, Dupplin, No. 142 (ii). Seal gone; it was attached by a strip of the parchment of the deed.

Capellani nostri Abbas et Conuentus abathie nostre insule missarum certa subsidia ad fabricam Poncium et le Cavse jacencium ex parte occidentali Abathie predicte per maresium versus terram nostram dominicalem le ffoulys concesserunt · Vnde nolumus quod dictam concessionem dictorum subsidiorum per clameum cuiuscumque persone preiudicium dicte Abachie aut religiosis viris in eadem commorantibus vel commoraturis in aliquo generetur In cuius rei testimonium has litteras nostras sub sigillo nostro sibi fieri fecimus patentes apud ffoulys octauo die Aprilis Anno domini Millesimo Trecentesimo Septuagesimo Quinto.

CXXXIX

1381. [Supplicatio ad Clementem VII. Papam pro Willelmo de Culros electo abbate Insule Missarum.[1]]

Beatissime pater Dudum vacante monasterio de Insula missarum ordinis sancti Augustini Dumblanensis diocesis per obitum quondam domini Iohannis de Kelly ultimi ipsius monasterii Abbatis extra Romanam curiam defuncti prior et canonici eiusdem monasterii devotum oratorem vestrum Willelmum de Culros canonicum eiusdem monasterii vicarium de dunyne virum utique providum et discretum litterarum sciencia vitaque et moribus merito commendandum in dicti monasterii abbatem unanimiter elegerunt quam electionem

tolicis non obstantibus quibuscumque cum clausulis oportunis ut in forma.

Concessum quod committatur Episcopo Glasguensi quod confirmet si sit canonica uel prouideat si sit ydoneus.

CXL

[Supplicatio ad eundem de ecclesia de Strugeht.[1]] 1381.

Beatissime pater Dudum vacante parrochiali ecclesia de strugeht Dunblanensis diocesis per obitum ultimi Rectoris eiusdem extra Romanam Curiam defuncti que pleno iure spectabat ad collationem etc. episcopi Dunblanensis condam [*sic*] bone memorie dominus Waltherus qui tunc presidebat ipsi ecclesie Dunblanensi predictam parrochialem ecclesiam sic vacantem auctoritate sua ordinaria contulit abbati et conventui monasterii de Isula [*sic*] missarum ordinis sancti Augustini dicte diocesis et [ad] monasterium eorundem perpetuo univit cuius possessionem pacifice et quiete possiderunt sed quia dubitant super ipsis collatione et unione propter defectum confirmationis sedis apostolice inposterum molestari Supplicant sanctitati vestre humiliter et devote predicti Abbas et conventus humiles oratores vestri quatenus dictas collationem et unionem et quecunque inde secuta ratas et gratas habentes dignemini ex certa scientia auctoritate apostolica misericorditer confirmare et si necesse fuerit ei[s]dem Abbati et conventui predictam parrochialem ecclesiam de novo conferre et dicto monasterio unire deffectus si qui intervenerint suplentes statutis ordinationibus constitutionibus apostolicis et alijs in contrarium editis non obstantibus quibuscumque cum clausulis oportunis etc.

Concessum quod commitatur predicto episcopo glasguensi quod se informet et prout Iustum fuerit confirmet. Avinione quarto Nonas Decembris anno quarto.

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[1] *Ibid.* The date is evidently that of the granting of both Petitions.

CXLI

1387. [Commissio per Clementem VII. papam ad prefici-endum Willermum de Culros in abbatem Insule Missarum].[1]

Venerabili fratri episcopo Dunkeldensi[2] salutem etc. Suscepti cura regiminis cor nostrum continua pulsat instantia ut solicitudinis debitum ad quod universis orbis ecclesiis et monasteriis nos apostolice sedis servitutis necessitas eorum obligat singulis prout nobis ex alto conceditur exolvamus in eo potissime ut illorum Regimina que propriis sunt destituta pastoribus personis talibus committantur per quarum solerciam circumspectam ecclesie et monasteria ipsa in spiritualibus et temporalibus valeant adaugeri Dudum siquidem quondam Johanne Abbate monasterii Insulemissarum ordinis sancti Augustini Dumblanensis diocesis rigimini eiusdem monasterii presidente · Nos cupientes eidem monasterio cum illud vacare contigerit per apostolice sedis providenciam utilem et ydoneam presidere personam provisionem ipsius monasterii ordinationi et dispositioni nostre duximus ea vice specialiter reservandam decernentes extunc irritum et inane si secus super hiis per quoscumque quavis auctoritate scienter vel ignoranter contigerit attemptari. Postmodum vero prefato monasterio per obitum dicti Johannis Abbatis qui extra Romanam curiam decessit vacante dilecti filii prior et conventus dicti monasterii reservationis et decreti predictorum forsan ignari vocatis

sacerdocio constitutum in eorum et dicti monasterii Abbatem licet de facto concorditer elegerunt idemque Willermus reservacionis et decreti predictorum similiter inscius electioni huiusmodi illius sibi presentato decreto consensit etiam de facto in hiis omnibus statutis a iure temporibus observatis et deinde prefatus Willermus reservatione et decreto predictis ad eius deductis noticiam premissa omnia proponi fecit coram nobis nos igitur electionem ipsam utpote contra reservationem et decretum huiusmodi temere attemptatam et alia inde secuta prout sunt irrita et inania reputantes ac cupientes ipsi monasterio de cuius provisione nullus preter nos hac vice se intromittere potuit neque potest reservatione et decreto obsistentibus supradictis de persona ydonea celeriter et salubriter providere ac de ipsius Willermi meritis ac sufficientia et ydoneitate ad hoc certam noticiam non habentes fraternitati[1] tue de qua in hijs et alijs plenam in domino fiduciam obtinemus per apostolica scripta committimus et mandamus quatenus de meritis et ydoneitate ac sufficientia ipsius Willermi diligentius te informes et si per informationem huiusmodi ipsam utilem et ydoneam ad regimen ipsius monasterii esse reppereris de sua alioquin de alia persona eiusdem vel alterius monasterii dicti ordinis sufficienti et ydonea eidem monasterio hac vice auctoritate apostolica provideas ipsamque illi preficias in Abbatem curam et administracionem eiusdem monasterii sibi in spiritualibus et temporalibus plenarie committendo sibique faciendo a suis subditis obedientiam et reverenciam debitas exhiberi contradictores quoque[2] per censuram ecclesiasticam[2] appellatione postposita compescendo Et insuper eidem Willermo vel alij persone huiusmodi per aliquen antistitem gratiam et communionem dicte sedis habentem munus benedictionis impendi facias vel impendas[3] ut est moris. Volumus autem quod tu vel[3] idem Antistes ab eodem Willermo vel alia persona predicta postquan munus huiusmodi sibi impenderis vel impenderit[3] nostro et ecclesie Romane nomine fidelitatis debite solitum recipias seu recipiat[3] iuramentum iuxta formam quam sibi sub bulla nostra mittimus interclusum et quod idem

[1] Originally *circumspectioni.* [2] Originally *auctoritate nostra.*
[3] *Vel impendas, tu vel, vel impenderit,* and *seu recipiat,* are additions.

Willermus vel persona predicta formam iuramenti quod prestabit nobis de verbo ad verbum per suas patentes literas tuo sigillo sigillatas per proprium nuntium nobis quam tocius destinare procuret. per hoc autem venerabili fratri nostro . . Episcopo Dumblanensi cui prefatum monasterium ordinario iure subesse dinoscitur nullum volumus imposterum preiudicium generari. Datum Avinione xiiii. kalendas Augusti Anno nono.

CXLII

1389. **Donacio capelli sancte trinitatis de uuyst et terre de karynche et quatuor denaritiorum terre.**[1]

Omnibus cristi fidelibus has litteras inspecturis uel audituris Gothfridus de Insulis dominus de Wyste salutem in viceribus saluatoris Nouerit vniuersitas vestra nos dedisse concessisse ac per[2] presentes confirmasse pro salute anime nostre et nostrorum predecessorum in honore sancte trinitatis et beate marie virginis gloriose Monasterio sancti Johannis euuangeliste in Insulamissarum et conuentui eiusdem in puram et perpetuam elemosinam capellam sancte trinitatis in Wuyste et totam terram de karynche et quatuor denariatas terre in ylara inter hussaboste et kanusorrarath[3] cituatas sicut melius liberius honorificencius et vtilius Cristina filia alani bone memorie vera heres et Reginaldus dictus m^{c}Rodry verus dominus et patronus dictam capellam cum prefatis terris dictis monasterio et conuentui contulerunt · Nos vero volentes

CXLIII

Confirmacio domini donaldi de ylle super ecclesia de hwyste.[1]

1410.

Nouerint vniuersi presentes litteras visuri vel audituri quod nos donaldus de yle dominus Insularum ratifficamus et confirmamus per presentes donacionem Cristine filie alani domine et heredis de Wyste factam in puram elimosinam de cappella sancte trinitatis in Wyste cum terris et pertinenciis venerabilibus viriis Abbati et conuentui monasteri Insule missarum diocicis dunblanensis ibidem deo seruientibus et inposterum seruituris sicut melius plenius et honorifficencius dicta cappella cum pertinenciis a prefata domina et suis postmodum successoribus regnaldo rodrici quondam domino de Wyste et goffredo de Insulis fratre nostro earundem terrarum hereditario domino per suas litteras data fuit seu concessa vel carta confirmata Ita tamen quod prefati abbas et conuentus tam spiritualiter quam temporaliter faciant et obseruent nobis et heredibus nostris ea que predictis donatoribus facere et obseruare tenebantur prout in litteris originalibus super hoc confectis plenius continetur In cuius ratifficacionis et confirmacionis testimonium Sigillum nostrum presentibus apponi fecimus apud Castrum nostrum de dunAros in Mulle vj° die mensis decembris Anno domini Millesimo quadringentessimo decimo.

CXLIV

[Obligatioun be Patoun Yhung.[2]]

1439.

Beit kend till all men be thir present lettres me patoun yhung burges of the burgh of pertht tobe haldin and thruch the tenoure of thir lettres sekirli and leleli tobe oblist to a venerabil faddir in crist Iohnne thruch the grace of god abbot of Inchechafrai and to the conuent of that / ilk / that meg makky the spouse of Iohnne quhyte na zete nane in hir name sal mak clame questioun na demande be resoun of hir

[1] From the original, Dupplin, No. 128. Seal in red wax, nearly entire.

[2] From the original, Dupplin, No. 3. One seal (the granter's) in red wax, nearly entire. The other is lost; its tag remains.

dowry or Ioyntfeftment to twa Rude of land liand togeder in the southgate of the saide burch sald to the said abbot and conuent be the saide Iohnne quhit with the consent of the said meg in maner and fourme as the euident proportis na neuer sal agayn call it in tyme tocum na mak strublance to thaim in the said landis but fraude or gile / and gif scho dois or ony in hir name as god forbede it do I the said patoun oblise me myne ayris executouris landis rentis and possessiounis and al our gudis movabil and vnmovabil quharsumeuer thai be fundin tobe distrenzet pundit and at the wil of the saidez abbot and conuent to be sald without lefe of ony Iuge spirituale or temporale quhill alswele to the saidez abbot and conuent of thair costis skathis expens and interessis fulleli be made assith as of the principale soum that thai sal sustene thruch the forsaide clame questione or demande thruch the forsaide meg or ony in hir name tobe made In witnes herof my sele with the sele of Iohne foulare ane of the bailliez of the burch of pertht to thir lettres is toset at pertht the xxij dai of Iulij the yhere of our lorde a thousand four hunder xxxix.

CXLV

1443/4. ## Donacio terre de m^c^wene.[1]

Omnibus hanc cartam visuris vel audituris Robertus de mekven dominus eiusdem eternam in domino Salutem Sciatis

cum pastura viginti vaccarum sexaginta ouium et duorum equorum ac cum omnibus aliis et singulis libertatibus commoditatibus et aisiamentis ac iustis pertinenciis quibuscumque ad dictam brasinam terram tofta et octo acras terre spectantibus seu spectare valentibus quomodolibet infuturum adeo libere et quiete sicut ego aut predecessores mei ipsas tenui seu possedi tenuerunt seu possiderunt Reddendo inde annuatim dicti abbas et conuentus et successores sui domino de methven vnum denarium argenti nomine albe firme si petatur tantum pro omni alio onere seruicio seculari exaccione seu demanda que de eisdem exigi poterunt vel requiri · Et ego dictus Robertus et heredes mei predictam terram brasinam tofta et octo acras terre cum pertinenciis predictis abbati et conuentui et successoribus suis in omnibus et per omnia ut premissum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus In cuius Rei testimonium presenti carte mee Sigillum meum apposui Et pro maiori huius rei euidencia Sigilla dauid flemyng et Iohannis de hadingtoun burgensium burgi de perth huic eciam carte apponi procuraui apud perth nono die mensis marcii anno dominj millesimo quadringentesimo quadragesimo tercio.

CXLVI

[Carta Jacobi II. regis de baronia de Cardenai.[1]] 1444/5.

Jacobus dei gracia · Rex Scotorum · Omnibus probis hominibus tocius terre sue clericis et laicis Salutem · Noueritis quod cum inter curas et solicitudines quibus animus noster afficitur ad hoc precipue perpensius aspiret quod ecclesie domus dei in Regno nostro constitute ad laudem cultumque et honorem domini nostri Iesu cristi solerter regantur · et que in eis sunt deformia reformentur : et nostris temporibus felicia suscipiant incrementa · Sane concepimus et plene intelleximus qualiter progenitorum nostrorum Regum Scocie Comitumque de Strathern ac aliorum procerum et fidelium

[1] From the original, Dupplin, No. 135. A small fragment of the Great Seal remains.

Regni nostri digna recolenda prioritas propter diuini cultus augmentum monasterium Insulemissarum diuersis possessionibus dotauit et priuelegiis multis communiuit. Quamobrem Sciatis nos matura deliberacione et auisamento concilii nostri prehabitis dedisse concessisse et hac presenti carta nostra confirmasse deo et beato Iohanni apostolo et ewangeliste necnon Iohanni abbati monasterii Insulemissarum ordinis Sancti Augustini dunblanensis diocesis · et eiusdem loci conuentui · ac eorum successoribus · omnes et singulas terras dominii de Cardynnai et dalhorochquhi et siluam de Cardenai cum pertinenciis ac terras dominii de madirdene inferius nominatas · et alias cum silua de madirden · terras videlicet de Williamstoune : que alias dicitur Balfour · Soutartoun · dubbotis · ardbany · le bordland · monasterii terram de Crag cum pertinenciis · balmacgillone · Rath · molendinum de dvnfally super aquam de Erne cum quatuor acris sibi annexis et cum pastura octo Summarum in dominio de dunfalli · mvkrath · rahalath · kincladi Inchenath cum quinque acris sibi adiacentibus in dominio de Abircarny · hangandside · dunnedufe cum brevland de petlandi et certis acris sibi adiacentibus · terram que dicitur breuland que iacet versus monasterium ex parte boriali eiusdem · terram quam quondam trestramus de gorty dedit dicto monasterio que iacet inter dominium de gorty et molendinum de myltoune terram monasterii que iacet in dominio de Cluchybeg terram ecclesiasticam de gask crist terram ecclesiasticam de kilbride terram ecclesiasticam de madirdene · et terram ecclesiasticam de

et emolumentis suis quibuscunque in puram et perpetuam elimosinam de nobis et successoribus nostris Regibus Scocie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas in moris marresiis boscis planis pratis nemoribus pascuis pasturis viis semitis aquis stagnis aucupacionibus venacionibus piscacionibus · ac communi pastura cum petariis turbariis brueriis et genesiis [*sic*] cum curiis et earum exitibus eschaetis et herieldis · bludwitis et merchetis mulierum cum furca et fossa sok et sak thol et theme infangandthefe outfangandthefe · ac cum omnibus aliis et singulis comoditatibus libertatibus et asiamentis ac iustis pertinenciis suis quibuscunque tam nominatis[1] quam nominatis tam sub terra quam supra terram tam procul quam prope ad dictam baroniam de Cardenai cum pertinenciis et omnia supradicta · spectantibus seu quouismodo spectare valentibus in futurum Adeo libere et quiete plenarie integre honorifice bene et in pace sicut dicti abbas et conuentus · seu predecessores eorum dictas terras cum pertinenciis modo in liberam baroniam vnitas atque creatas liberius quiecius plenarius integrius seu honorificencius · aliquo tempore exacto tenuerunt seu possederunt · Reddendo inde abbas et conuentus · prefati et eorum successores · nobis et successoribus nostris seruicia debita et consueta sicut ceteri similesprelati de Regno nostro faciunt et sicut predecessores sui nobis et antecessoribus nostris facere consueuerunt · Preterea ex plenitudine Regie potestatis statuimus volumus et ordinamus quod abbas et conuentus prefati eorundemque successores et monasterium predictum habeant teneant et possideant predictam baroniam de Cardenai cum pertinenciis in plenaria libertate et Iurisdicione perpetuis temporibus absque medio de nobis et successoribus nostris Regibus scocie · nec in aliam quamquam personam quauis autoritate prefulgeat vel dignitate tituletur Eciam si noster vel successorum nostrorum Regum Scocie primogenitus existat ammodo superioritas vel superius dominium dicti monasterij seu possessionum suarum prefatarum transferri valeat de cetero quacunque occasione vel causa eandem facultatem transferendi penitus a nobis et successoribus nostris

[1] *Sic*; read *non nominatis.*

abdicantes · quinymmo si scienter vel ignoranter contra presentis priuilegii tenorem quicquam fieri contigerit in futurum vel quicquid secus quam presens carta contineat foret actum exnunc animo deliberato irritum et inane decernimus et omnino viribus vacuamus · Censientes [*sic*] et recognoscentes monasterium predictum abbatemque et conuentum modernos eiusdem et ipsorum successores cum ipsorum terris possessionibus et Iuribus quibuscunque semper et absque medio nobis et successoribus nostris Regibus Scocie duntaxat pertinere in quamcunque personam de eisdem translacione facienda non obstante · Preterea inspeximus quamdam libertatem deo et sancto Iohanni apostolo et ewangeliste de Incheaffrai et canonicis ibidem deo seruientibus et seruituris per quondam gilbertum Comitem de stratherne suo sigillo impendente concessam non rasam non abolitam non cancellatam nec in aliqua sui parte suspectam · set omni prorsus vicio et suspicione carentem tenorem qui sequitur continentem :[1] Gilbertus Comes de Strathern Omnibus hominibus tocius terre sue salutem · Sciant presentes et futuri me dedisse concessisse et hac carta mea confirmasse pro dei amore et pro salute anime mee et vxoris mee et antecessorum et heredum meorum deo et sancto Iohanni apostolo et ewangeliste de Incheaffrai et canonicis ibidem deo et sancto Iohanni seruientibus et seruituris hanc libertatem quod si aliquis hominum suorum de territorio quod ego in liberam elimosinam eis dedi retatus fuerit in curia mea de furto siue de alia aliqua querela que ad curiam meam pertinet et si de illa reta Iudicio dampnatus fuerit solo michi

maliseo filio eius Willelmo forteth Roberto fergus Maliseo gilcrist filiis meis et multis aliis Quam libertatem in omnibus suis punctis et articulis forma pariter et effectu approbamus ratificamus et confirmamus · et eandem perpetuis futuris temporibus inuiolabiliter obseruari volumus et mandamus · In quorum omnium et singulorum fidem et testimonium premissorum presenti Carte nostre magnum sigillum nostrum Iussimus appendi · Testibus Reuerendo in cristo patre · Iacobo Episcopo dunkeldensi cancellario nostro · Alexandro de levingstoune de Calentare dauid de murra de Tulibardin Iohanne de Cokburne de dalginche militibus Iacobo de levingstoune capitaneo castri de Striuelin magistris Willelmo Turnbul nostri secreti sigilli custode et Iohanne Railstoune secretario nostro · apud Striuelin vicesimo septimo die mensis Ianuarii Anno domini millesimo quadringentesimo quadragesimo quarto Et Regni nostri Oct[auo].

CXLVII

Confirmacio regis Jacobi secundi de brewland mekwen.[1] 1450.

Jacobus dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse venerabili in cristo patri et Religiosis viris Abbati et conuentui monasterij nostri de Inchafferay omnes et singulas terras de Brewland de mekven cum pertinenciis iacentes infra vicecomitatum de perth Quequidem terre cum pertinenciis fuerunt Andree Toische hereditarie Et quas idem Andreas non vi aut metu ductus nec errore lapsus set sua mera et spontanea voluntate in manus nostras coram subscriptis testibus apud monasterium vallis virtutis cartusiensis ordinis prope burgum nostrum de perth per fustem et baculum personaliter sursum reddidit pureque simpliciter Resignauit Ac totum jus et clameum que in eisdem terris cum pertinenciis habuit seu habere potuit pro se et

[1] From the original, Dupplin, No. 18 (i). Large fragment of Great Seal, in white wax. See *Reg. Mag. Sig.* vol. ii. No. 382.

heredibus suis omnino quittum clamauit imperpetuum Tenendas et habendas omnes et singulas supradictas terras de Brewland de mekvene cum pertinenciis dictis Abbati et conuentui et eorum Successoribus ad manum mortuam in feodo et hereditate imperpetuum per omnes Rectas metas suas antiquas et diuisas Cum omnibus et singulis libertatibus commoditatibus et Asiamentis ac iustis pertinenciis suis quibuscunque ad dictas terras de brewland de mekven cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Andreas aut sui predecessores prenominatas terras cum pertinenciis de nobis aut predecessoribus nostris ante dictam Resignacionem nobis inde factam liberius tenuit seu possedit tenuerunt seu possiderunt Reseruatis nobis et successoribus nostris dictorum Religiosorum virorum oracionum suffragiis deuotarum In Cuius Rei testimonium presenti carte nostre magnum Sigillum nostrum apponi precepimus Testibus Reuerendis in cristo patribus Willelmo et Iohanne glasguensis et dunkeldensis ecclesiarum episcopis Willelmo domino Creichtoune nostro cancellario et consanguineo predilecto venerabili in cristo patre Andrea abbate de melros nostro confessore et thesaurario dilectis consanguineis nostris patricio domino le grahame patricio domino le glammis magistro hospicii nostri Andrea domino le gray Iacobo domino frendracht georgeo de Creichtoune de Carnis admirallo Regni nostri dauid murray de tulibardin Alexandro Ramsay de dalwolsy Iacobo de edmondstoune de eodem Colino cambell et Waltero de

vestra me non vi aut metu ductum nec errore lapsum sed mea mera et spontanea voluntate constitutum cum consensu et assensu Alexandri mersar heredis mei et cum consensu et assensu Andree mersar de inchebreky auunculi mei cui dicte terre de inchebreky sunt inpignorate pro certa summa pecunie dedisse concessisse et hac presenti carta mea confirmasse inperpetuum [*sic*] et puram elimosinam ob honorem dei omnipotentis et gloriose virginis marie ac beati ihoannis euuangiliste pro salute anime mee et animarum Ionete sponse mee alexandri heredis mei supradicti et omnium successorum meorum · Abbati et conuentui insulemissarum et eorum successoribus ibidem deo seruientibus et in futurum seruituris libertatem omnimodam et licenciam perpetuam piscandi per arcas recia aut alia instrumenta quecunque pro anguillis et aliis piscibus capiendis necessaria in loco qui wlgariter dicitur ly polpefery infra dominium meum de dullory ac vnam vel plures arcas recia aut alia instrumenta pro huiusmodi piscibus habendis conueniencia ponendi situandi locandi super ly polpefery · necnon et strues lignorum congeries lapidum ac muros terrarum faciendi construendi et edificandi terramque fodiendi ac lapides scindendi et optinendi super terras meas predictas de dullory vbicunque dictis abbati et conuentui et eorum ministris melius placuerit in longitudine et latitudine dictarum terrarum prout mete et limites earundem se extendunt pro sustentacione construccione et reformacione dicte arce aut dictarum arcarum seu aliorum instrumentorum pro captura predictorum piscium necessariorum tociens quociens dictis abbati et conuentui et [eorum successoribus] videbitur expediri · Omni impedimento et obstaculo ac vniuersis dolo et fraude quouis colore conceptis et ymaginatis per nos supradictos R[obertum alexandrum et] andream ac successores nostros ad impediendum et obstruendum anguillas et alios pisces in dictis arcis retibus seu aliis instrumentis capi [omnino et inperpetuum

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executed for the late Mr. G. R. Mercer of Gorthy, and communicated by Major W. L. Mercer of Huntingtower. The two seals are both entire. Printed in an abridged form in *Lib. Ins. Mis.* App. iv. No. 1. The heading is taken from the transcript which accompanies the facsimile; and the words within brackets, intended to indicate the tenor of parts of the deed which are not now legible, are mainly, but not invariably, adopted from the same source.

remotis·] Tenendam et habendam totam et integram libertatem et licenciam perpetuam piscandi ut premittitur per arcas recia et alia instrumenta in predicto loco de p[olpefery infra dominium meum] de dullory cum omnibus asiamentis et commodis pro dicta piscatura conuenientibus predictis abbati et conuentui et eorundem successoribus a me et heredibus [meis libere quiete plenarie] bene et in pace cum libero introitu et exitu ac singulis commoditatibus et iustis suis pertinenciis quibuscunque sicut aliqua elimosina a quocunque infra regnum [Scocie tenetur seu] possidetur · Et ego vero predictus robertus et heredes mei ac et ego andreas mersar de inchebreky durante mihi inpignoracione supradicta modo et fo[rma predictis facta] dictarum terrarum et heredes mei predictas libertatem et licenciam piscandi per arcas recia et alia instrumenta quecunque in predicto loco de polpefery cum vniuersis et sin[gulis libertatibus] ad ipsam piscaturam spectantibus seu spectare valentibus in futurum predictis abbati et conuentui et suis successoribus qui pro tempore fuerint in omnibus et per omnia [ut predictum est contra] omnes mortales varandisabimus ac quietabimus et in perpetuum defendemus · Insuper si contingat me aut heredes meos seu aliquam personam nomine nostrum [tempore futuro] publice aut occulte donacioni dicte libertatis et licencie piscandi per arcas recia aut alia instrumenta in predicto loco de polpefery ut predictum est propter aliquam causam contraire contradicere seu directe uel indirecte aliquatenus reuocare obligo me heredes meos executores intromissores et assignatos et omnia bona nostra mobilia et in-

plenarie fuerit satisfactum et persolutum · Etiam volo et concedo casu quo contingat me et heredes meos uel quoscunque alios nomine nostrum imponere seu locare arcam uel arcas rete aut recia seu alia quecunque instrumenta ad pisces capiendos in predicto loco de polpefery quod pro tunc licitum sit predictis abbati et conuentui et suis successoribus easdem arcas recia seu instrumenta capere occupare disponere et ad proprios vsus apropriare ac a me et heredibus meis alienare sine reclamacione seu repeticione per me uel heredes meos quoscunque tociens quociens in predicto loco hoc fieri contingat In cuius rei testimonium sigillum mei roberti mersar nec non et sigillum Andree mersar auunculi mei presenti carte mee sunt appensa coram hiis testibus · tristramo de gorty Ihoanne quhytson alexandro cardeny wilelmo bonar de kelty Alexandro scharp de strathy et Ihoanne crab scutifero cum multis aliis vicesimo quarto die mensis Iunij Anno domini millesimo quadringentesimo quinquagesimo quarto.

CXLIX

[Ratificatio carte precedentis.[1]]

1454.

Notarial Instrument, 25 June 1454—'nobilis vir alexander mersar filius et heres Roberti mersar de Innerpefery' ratifies 'illas donaciones libertatis et licencie perpetue piscandi cum arcis retibus etc., in loco qui vulgariter dicitur ly Polpefery.' Instruments asked by Sir Symon Dun and Sir William de Haddington two canons of [Inchaffray] 'infra burgum de Perth in hospicio Johannis de Quhytsun burgensis de Perth,' 2 p.m. William Bonar of Kelty, John Quhytson, Alexander Sharpe of Strathy, Alexander de Cardeny, John Crab, and many others present. Seal of Tristram de Gorty de eodem affixed at the request of the said Alexander.

[1] From a note among the papers of George Smythe, Esq., at Methven Castle, marked 'Original in the possession of Antony Murray, Esq., of Dollerie.' The editors have failed to obtain access to the deed itself.

CL

1461/2. [Decretum Episcopi Dunblanensis de quodam mortuario.[1]]

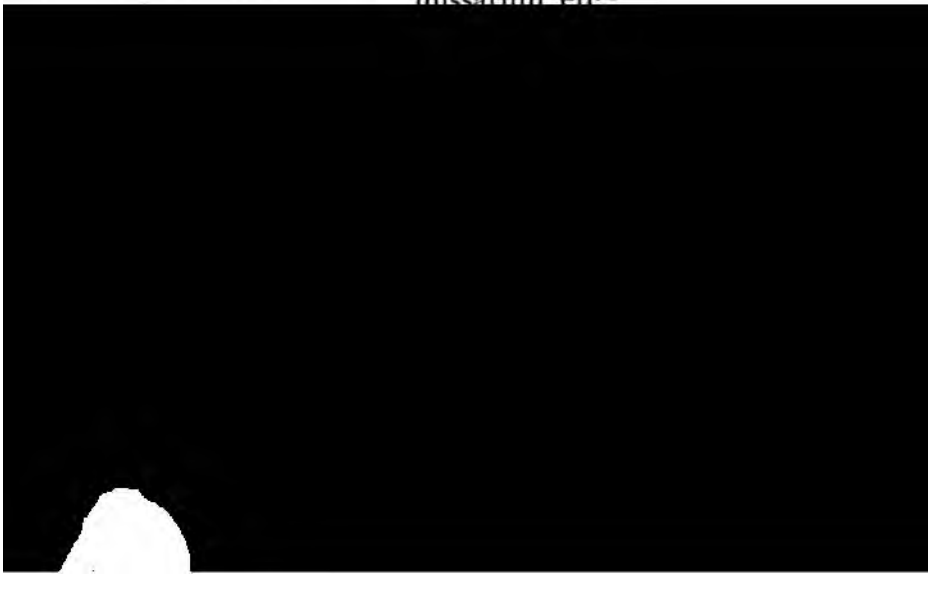
In dei nomine amen per hoc presens publicum instrumentum cunctis pateat euidenter quod anno dominice incarnationis milesimo quadringentesimo sexagesimo primo die vero mensis Ianuarij vigesimo sexto Indictione vndecima pontificatus Sanctissimi in Christo patris et dominj dominj Pij diuina prouidentia pape secundj anno quarto In mej notarij publici et testium subscriptorum presentia coram reuerendo in Christo patre et domino domino Roberto dei et apostolice sedis gratia episcopo Dunblanensi in causa subscripta pro tribunalj sedente inter ceteros iustitie complementum petentes comparentibus in iudicio discreto viro domino Laurentio fethil capellano procuratore venerabilis in Christo patris et dominj Nicolaj permissione diuina abbatis monasterij insule missarum ad hoc specialiter deputato de cuius potestate et mandato specialj mihi notario publico scribe dicte curie satis constabat ab vna et venerabilj viro magistro Willelmo de fowlis vicario ecclesie parochialis de foulis partibus ab alia causam litigiosam cuiusdam mortuarij videlicet centum solidorum vsualis monete regni Scotie quondam bone et recolende memorie Tristrahamj de gorthy aduersarie partialiter et litigiose mouentibus et proponentibus dictus reuerendus in Christo pater et dominus

tribunalj sedentes solum deum pre oculis habentes ac cognoscentes in causa litigiosa cuiusdam mortuarij centum solidorum quondam bone et recolende memorie Tristrahamj de gorty coram nobis iudicialiter mota et ventilata inter discretum virum dominum Laurentium fythil capellanum nomine venerabilis in Christo patris et dominj dominj Nicolaj diuina permissione abbatis insule missarum ad hoc specialiter deputatum ab vna de cuius potestate ac mandato specialj per literas suas procuratorias sigillo dictj dominj abbatis sigillatas nobis satis constabat Et venerabilem et discretum virum magistrum willelmum foulis vicarium ecclesie parochialis de foulis partibus ab altera auditis et intellectis prius partium predictarum petitionibus responsionibus allegationibus et protestationibus testibus productis de veritate dicenda iuratis et diligenter examinatis ac eorum depositionibus fideliter in scriptis redactis et in posterum publicatis et fulminatis ceterisque terminis substantialibus a Iure requisitis rite obseruatis citatis vocatis et comparentibus executoribus bonorum et testamenti quondam dicti defuncti ipsiusque cause meritis per nos vndique pensatis et preuisis attento quod mortuaria sana et integra dicte ecclesie de foulis prefato abbati et suis successoribus quj pro tempore fuerint debentur et dicto vicario de foulis mortuaria diuisa et non integra cum oblationbus solitis et consuetis iuxta vicarie sue de foulis antedicte fundamen debentur clare comperimus dictum mortuarium centum solidorum vsualis monete Scotie sepedicto domino abbati aut eius procuratori soluj et deliberari debere Ideoque per hanc nostram sententiam diffinitiuam quam ferimus in his scriptis habito prius assessorum nostrorum et iurisperitorum consilio pronunciamus decernimu- et declaramus antedictum mortuarium prefato abbati et suis successoribus quj pro tempore fuerint aut eorum procuratoribus cum effectu deberi ac dictum vicarium in expensis super huiusmodi lite factis condemnatum fore decernimus et condemnamus per presentes quarum tamen expensarum taxationem nobis in posterum reseruamus Lata et lecta fuit hec nostra sententia in ecclesia nostra antedicta die Martis videlicet vigesimo sexto die mensis Ianuarij Anno dominj millesimo quadringentesimo sexagesimo primo In cuius rei testimonium sigillum nostrum rotundum presentibus est affixum Super

quibus omnibus et singulis premissis suprascriptus dominus Laurentius procurator a me notario publico subscripto sibi fieri petijt publicum instrumentum Acta fuerunt hec in ecclesia cathedralj dunblanensi antedicta hora vndecima vel eocirca ante meridiem et sub anno die mense Indictione et pontificatu quibus supra Presentibus Ibidem venerabilibus et discretis viris magistris Malcolmo Iohannis decano Lismorensi Iohanne Cristinj cancellario dunblanensi Malcolmo drumond canonico dunblanensi Dominis Patricio Ogil gilberto huntar capellanis Roberto Aysone et henrico Symonis cum diuersis alijs testibus ad premissa vocatis specialiter et rogatis. Et ego Iohannes Scot presbiter Dunblanensis diocesis publicus auctoritate Imperialj notarius suprascripte cause motionj ventilationj propositionj et sententie diffinitiue decreto vnacum prenominatis testibus presens interfuj ac ea omnia et singula premissa sic fierj vidj et audiuj ac in notam sumpsj Ideoque presens publicum instrumentum manu mea propria scriptum inde confeci et in publicam hanc formam redegi Signoque nomine et subscriptione meis solitis et consuetis signauj rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

CLI

1488/9. Littera pro Abbate et conuentu Insule missarum etc.[1]



dicti nostrj monasterij et conuentum eiusdem pro nobis et successoribus nostris factis et fiendis dedimus et concessimus Ac tenore presencium pro nobis et successoribus nostris damus et concedimus prefato georgio Abbati dicti nostrj monasterij et conuentui eiusdem et successoribus suis plenariam licenciam Ad faciendum et effodiendum stagnum seu foueam In dicto nostro prato a parte boriali ad partem australem eiusdem vnde sua victualia focalia aliasque Res suas quascunque eis pro sua sustentacione et dicti nostrj monasterij Reparacione necessarias per nauiculas vel Cimbas seu alias quouismodo dicto nostro monasterio commode semper futuris temporibus importare et adducere possint et valeant Quare vniuersis et singulis quorum Interest vel interesse poterit stricte precipimus et firmiter Inhibemus ne quis dictis Abbati et conuentui aut eorum successoribus in premissis Impedimentum faciat seu obstaculum quodcunque in futurum Sub omni pena que competere poterit in hac parte Datum sub magno Sigillo nostro Apud Edinburghe vicesimosecundo die mensis Ianuarij Anno dominj Millesimo Quadringentesimo Octuagesimo octauo Et Regnj nostrj primo.

APPENDIX

I

[Confirmatio pro Malisio filio Comitis Ferteth.[1]] 1172-8.

W· Rex Scottorum· Episcopis· abbatibus· Comitibus· Baronibus· Iusticijs· Vicecomitibus· Ministris· et Omnibus probis hominibus tocius terre sue· Clericis et laicis ſ salutem. Sciant presentes et futuri· me concessisse· et hac carta mea confirmasse· Malisio filio ferteth Comitis de Stradhern· Mothel· et Tuliedel· et Oggoueli· et Barderal· et kinkarden· et Ovctermafen· et Rossi· per earundem terrarum rectas diuisas· Tenendum sibi et heredibus suis· de Comite [Gi]leberto fratre suo et heredibus suis in fevdo et hereditate· In boscho et plano· In terris· et aquis· In pratis et pascuis· In molendinis et stagnis· In forestis· et tristrijs· In Moris· et scalingis· et Omnibus alijs iustis pertinencijs suis· Cum sacca· et Socca Cum tol· et tem· et Infangenthef· Cum furca et fossa· ita libere et quiete· plenarie· et honorifice ſ [sicut] Carta prefati Comitis Gileberti fratris sui ſ testatur et confirmat ſ per seruicium unius militis· [Testibus· Matheo] Episcopo de aberdon· W de bidun Cancellario· Comite Dunecano Iusticiario· Comite Malcolmo Etholie· [Comite Gilebri]de de anegus· W de Berkelai Camerario· Hugone Giffard· Roberto de Boseuille· apud pert·

II

Carta regis Willelmi super terris de Maddyrnyn.[2] 1185.

Willelmus dei gracia [Rex] Scottorum episcopis Abbatibus comitibus baronibus Iusticiarijs vicecomitibus prepositis ministrisque omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciant presentes et futuri me dedisse concessisse et hac presenti carta mea confirmasse comiti Gilberto de stratheryn Maddyrnin per rectas diuisas suas et cum omnibus iustis pertinenciis in bosco et plano in terris et aquis in pratis et pascuis in moris et marresiis in molendinis et stagnis et omnibus aliis

[1] From the original belonging to the Duke of Montrose; it is mutilated in places, and the seal (appended probably on a strip of the parchment of the charter) is gone. Some blanks are supplied within brackets on the authority of an old transcript; see *Historical MSS. Commission Rep.*, vol. ii. App. p. 166.

[2] Reg. (see *Lib. Ins. Mis.* No. 2).

Justis pertinenciis suis cum sacca et socca cum Tholl et theame et infangandthefe Tenendam sibi et heredibus suis de me et heredibus meis in feodo et hereditate libere et quiete plenarie et honorifice per seruicium vnius militis Ita eciam quod nec ipse nec heredes sui aliquo tempore respondeant de terra Gillecolme Marescallo aut heredibus suis aut alicui de parentela sua siquando querelam inde erga eos mouere uoluerint Quoniam predictus Gillecolm pro felonia quam[1] erga me fecit terra prenominatam amisit sicut ille qui in felonia reddidit castellum meum de heryn et postea sicut iniqus et proditor Iuit ad inimicos meos mortales et cum eis stetit contra me ad forisfaciendum pro posse suo Testibus comite dauid fratre meo Ricardo de Moruile Constabulario Philippo de valoniis Alano dapifero Waltero olifard Willelmo de lyndesay Waltero Corbet Willelmo Cumyn Rainnulfo de sules[2] swano filio Thore Willelmo filio Thore apud lillidqw.

III

1251. [Commissio pro preposito et capitulo Sancte Marie Sancti Andree.[3]]

Innocentius episcopus seruus seruorum dei . Dilectis filijs Magistro Abel Capellano nostro sancti Andree . et . . Theuidalie Glasguensis diocesis Archidiaconis ac Johanni de Euerlay Canonico Dunkeldensi . Salutem et apostolicam benedictionem . Ex parte . . Prepositi et Capituli secularis ecclesie sancte Marie in Ciuitate sancti Andree fuit propositum coram nobis . quod cum . . Prior et Conventus Cathedralis ecclesie sancti Andree ordinis sancti Augustinj asserentes fore ipsis ab apostolica sede concessum ut cedentibus uel decedentibus Canonicis ipsius ecclesie sancte Marie (

cultate / relaxent. Quocirca discretioni uestre per apostolica scripta mandamus / quatinus si dicti Priores mandatum nostrum infra prescriptum tempus neglexerint adimplere / uos ex tunc sufficienti ab eis super hijs pro quibus excommunicati habentur cautione recepta / iuxta formam ecclesie sententiam relaxetis eandem. et iniuncto eis quod de iure fuerit iniungendum audiatis causam. et eam infra Quatuor menses post receptionem presentium iudicio uel concordia si de partium uoluntate processerit / terminare curetis . Quod si forte hoc fieri non poterit / eam ex tunc instructam uel non instructam remittatis ad apostolice sedis examen . prefigentes partibus terminum peremptorium competentem quo per se uel procuratores idoneos cum omnibus actis / iuribus / rationibus et munimentis earum compareant coram nobis iustam dante domino sententiam recepture. Prouiso ut si pro manifesta offensa dicta sit prolata sentencia / nisi prius ab excommunicatis sufficiens pre[ste]tur emenda nullatenus relaxetur . Testes autem qui fuerint nominati si se gratia / odio / uel timore subtraxerint / per censuram ecclesiasticam cessante appellatione cogatis ueritati testimonium perhibere . Quod si non omnes hijs exequendis potueritis interesse / duo uestrum ea nich[il]ominus exequantur . Datum Lugduni vij Idus Aprilis . Pontificatus nostri Anno Octauo .

IV

Assedacio ecclesie de Gasknes.[1] 1266.

Anno gracie . M·CC·sexagesimo sexto · ad Pentecosten facta est hec conuencio inter . . Magistrum et fratres Hospitalis sanctorum Iacobi et Iohannis de Brackele ex parte vna et venerabilem patrem Robertum dei gracia Episcopum Dunblanensem ex altera · quod dicti . . Magister et fratres concesserunt et tradiderunt ad firmam dicto Episcopo ecclesiam suam de Gasknes cum omnimodis fructibus et prouentibus suis et omnibus iuribus et libertatibus ad ipsam quocunque m[odo] pertinentibus vna cum omnibus terris et possessionibus ad dictos . . Magistrum et fratres quocunque titulo in regno Scocie pertinentibus vsque ad terminum quinque annorum completorum pro viginti quatuor Marcis sterlingorum

[1] From a copy, made about 1350, at Magdalen College, Oxford; marked Brackley D 116. Transcribed by Mrs. New of Oxford. Some parts being injured, the MS. has been carefully examined, and the words or letters which appear to be missing supplied within brackets. A piece of parchment sewed on contains copies in the same handwriting of the two charters here appended.

annuis[1] soluendis predictis . . Magistro et fratribus singulis annis in Monasterio de Oseney in festo sancti Michaelis archangeli uel infra octo dies sequentes termino prime solucionis incipiente in festo sancti Michaelis anno gracie M·CC·sexagesimo septimo. Quid vero pro fructibus anni sexagesimi sexti non fuerat suo tempore satisfactum ⁄ satisfiet in fine termini de viginti quatuor marcis pro eisdem. Nec fiet de bonis spectantibus ad testamentum memorati Episcopi aliqua distribucio · si humanitus de eo contingat ⁄ nisi prius dictis . . Magistro et fratribus super predicta pecunia plene fuerit satisfactum. Si vero cesserit Episcopatui et de predictis viginti quatuor Marcis satisfacere recusauerit uel neglexerit ⁄ penam dupli incurret predictis f[ratribus persolu]endam· Si autem placuerit dicto Episcopo ipsas ecclesiam et terra[s post] ill[ud qui]nq[uenniu]m ad firmam tenere ⁄ innouabitur conuencio ⁄ usque ad aliud quinquennium [Episcopo] predicto et pro firma predicta · Et sic de quinquennio in quinquennium quamdiu placuerit eidem Episcopo ipsas ad firmam tenere· Ita tamen quod p[retextu presencium][2] nullum ius successori ipsius Episcopi accrescat in dictis ecclesia et terris · Si infra terminum aliquem dum ipsas tenuerit de ipso humanitus contigerit · sed ad ipsos . . Magistrum et fratres sine omni contradiccione dicto [Episcop]o cedente uel decedente reuertantur · Colminus vero qui est homo ligius dictorum . . Magistri et fratrum a dictis terris non amouebitur dum Episcopus ipsas habuerit ad firmam nec iniuste in aliquo fatigabitur nec ad placita extra dictas terras per ipsum trahetur · sed benigne prout decet tractabitur ⁄ Ad hec · si vicaria dicte ecclesie durante firma Episcopi vacauerit ⁄ licebit dictis . . Magistro et fratribus

dictorum . . Magistri et fratrum prout iustum fuerit · Si autem contigerit quod absit quod dicti . . Magister et fratres per defectum solucionis predicte firme dictis loco et terminis non facte dampna incurrerint aut expensas fecerint ⁊ idem Episcopus tenebitur eisdem ad satisfaccionem super dampnis et expensis vna cum interesse suo super quibus stabitur simplici et fideli assercioni dictorum . . Magistri et fratrum uel vnius eorum capellani habentis potestatem in eorum animas iurandi ad hoc specialiter deputati · Et si idem Episcopus contra solucionem huiusmodi dampnorum uel expensarum reluctauerit ⁊ penam quadraginta Marcarum incurrat predictis . . Magistro et fratribus soluendam. Et sciendum est quod cum non placuerit dicto Episcopo firmam vlterius tenere ⁊ predicta ecclesia cum omnibus fructibus suis ad dictos . . Magistrum et fratres in festo Pentecostes reuertetur · fructus vero et commodum terrarum vsque ad festum sancti Martini proximo sequens in Mense nouembris ad dictum Episcopum pertinebunt · Vtraque vero pars in verbo veritatis et sacerdocij istam conuencionem in omnibus et per omnia fideliter obseruare promisit · Subiecerunt se vero dicte partes iurisdiccioni seu cohercioni Lincolniensis Episcopi qui pro tempore fuerit quod possit ad predictorum obseruacionem omnium et singulorum per interdicti et excommunicacionis sentencias partem contra supradicta in aliquo venientem cohercere · Promisit insuper dictus Episcopus quod circa illicite alienata et distracta diligenciam apponet vt restituantur · Et ad maiorem securitatem huius conuencionis parti cirographi penes . . Magistrum et fratres residenti appensum est sigillum Episcopi vna cum sigillo sedis Dunblanensis · Parti vero penes Episcopum residenti appensum est sigillum commune predictorum . . Magistri et fratrum. Hiis testibus . Domino Alano dei gracia Abbate de Insula Missarum · Domino Henrico Decano Dunblanensi · Magistro Ricardo de Striuelyn · Officiali Dunblanensi . Adam · Iohanne . Willelmo de Gasknes · de Abberrothewon et foules ecclesiarum vicariis et Multis aliis.

IV A.

Carta Seheri de Quency de ecclesia de Gasc. 1210-13.

Vniuersis sancte Matris ecclesie filiis ad quos presens scriptum peruenerit Seherus de Quency Comes Wintonie salutem in domino eternam. Nouerit vniuersitas vestra nos intuitu dei contu[li]sse

et concessisse et hac presenti carta nostra confirmasse deo et sancte Marie et hospitali sancti Iohannis de Brackele et Canonicis et fratribus ibidem deo seruientibus ecclesiam de Gasc cum omnibus pertinenciis suis cuius ius patronatus ad nos spectat / in puram et perpetuam elemosinam pro anima patris nostri bone memorie Roberti de Quency et pro anima Matris nostre Orable / et pro anima Roberti de Quency primogeniti nostri et pro salute anime nostre et Margarete vxoris nostre et omnium antecessorum et successorum nostrorum ad sustentacionem predictorum canonicorum et fratrum ibidem deo seruiencium et infirmis ministrancium / Et vt hec nostra donacio et concessio rata et inconcussa inposterum perseueret / presens scriptum sigilli nostri munimine duximus roborandum · Hiis testibus · domino Petro de Roches Episcopo Wyntoniensi · Domino Willelmo Malueisin Episcopo sancti Andree · Roberto filio Walteri · Willelmo de Albeinr[1] · Willelmo de Huntingfelde · et aliis.

IV B.

1215-20. **Carta Alexandri Regis Scocie de confirmacione ecclesie de Gasc.**

Alexander dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laycis salutem · Sciant presentes et futuri me concessisse et hac carta mea confirmasse donacionem ill[am q]uam Seherus de Quency Comes Wyntonie fecit deo et sancte Marie et Hospitali sancti Iohannis de Brackele et Canonicis et fratribus ibidem deo seruientibus d[e ecclesia] de Gasc

V

[Carta M. comitis Marie sorori sue de natiuis.[1]] 1268/9.

Omnibus Has litteras visuris uel audituris · M · Comes strathernie Eternam in domino salutem. Nouerit vniuersitas vestra Nos de nobis et heredibus nostris dedisse concessisse et hac presenti carta nostra confirmasse domine Marie sorori nostre et heredibus suis licenciam et potestatem querendi colligendi et habendi · omnes natiuos homines Iuste pertinentes ad terras de straty et de pronny vbicumque fuerint infra terram nostram inuenti · ad abitandum in dictis terris de straty et de pronny inperpetuum et ad seruiendum ac respondendum eidem domine · M · et heredibus suis cum omnibus bonis et catallis suis et cum sequela illorum prout ipsa et heredes suy sibi melius viderint expedire · ffirmiter Inhibentes sub nostra plenaria forisfactura ne quis ipsam dominam · M · aut heredes suos contra hoc ꝛ iniuste perturbare presumat. In cuius rey testimonium ꝛ sigillum nostrum presentibus fecimus apponi · Hiis testibus · dominis ꝛ M · auunculo nostro · G · fratre nostro · Philippo olifart · Militibus · Magistro · B · officiali dunblanensi · Domino · G · persona de komri · M · de glendohtreht · et multis aliis · Datum apud foulis · nono kalendas Marciy · Anno gracie · M° · CC° · lx° · octauo.

VI

[Letter of Bailiary in favour of Laurence lord Oliphant.[2]] 1468/9.

Be it kende till all men be thir present lettres ws George be the grace of god Abbot of Inchaweray to be bundin and oblist and be thir present lettres ande in the faith in our body lely ande treuly bindis and oblis ws til ane ryth honorable lorde laurence lord oliphant that quhat tym we the saide georg Abbat beis admittit be our Juge ordinare to the spiritualite ande be our souerane lord the king to the temporalite of the said Abbisse within tuenti dais nixt eftir the said admissione we sal mak the said lord oliphant our full bailze of all landis renttis and possessionis pertenand and forto pertene to the said Abbay vndyr our commone Sell with all

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[1] From the original, Dupplin, No. 105 (ii). Seal in white wax, nearly entire. See facsimile.

[2] *The Oliphants in Scotland*, 1879, p. 13 (with facsimile). Collated with the original in Gask Charter-chest. The abbot's seal remains entire.

power ande fredoime that may pertene till ony bailze of law or custum within the Realme of scotlande the said lord oliphant optenande the consent of my lord boude and of my lord of Arayn his sone we geffand til him ane compitable fee zerly tharfor sic lik as our predecessouris has geffin till othir bailzeis of befor And the said lord oliphant till Jois and bruk the said bailzery for al the dais of his lyff with power and fredoime as is forsaid And we the said georg abbot neuir to resinge the said Abbisse no wirk ony materis pertening til his bailzery or ony othir thingis belangin the consaill of ane temporale man without consent and assent of the said lord oliphant The quhilk condicione and ponctment in maner and forme befor vritin but fraude gill or reuocacion to kep and fulfill we binde and oblis ws as of befor and in defamace of our persone in the stratest forme and stile of obligacione that can be devisit Na remede of law to be proponit in the contrar beande of fors nor effect In vitnes of the quhilk thinge we haue set to our Sell with our subscripcion manuale At Edinburgh the xxv day of Januare the zer of god j^{m} iiij^{c} lxviij zeris.

Georgius abbas Insulemissarum manu propria.

VII

1265. [Supplicatio Marie Regine ad Papam pro Jacobo Drummond.[1]]

Beatissime pater Pium ac Deo gratum existimamus si viri probi ac litterarum studijs vigilanter incumbentes ad Dignitates ubi Reipublicæ magis prodesse possint, promoueantur· Quod in ecclesia Christi sponsa istis turbulentissimis temporibus misere afflicta vel maxime necessarium videtur· Nobis autem et si stet

tandem finis Dabitur· christianaque nostra fides in hoc Regno pene collapsa restaurabitur et in pristinum statum reducetur· Cum itaque Alexander Archiepiscopus Athanensis Commende monasterij insule missarum ordinis Diui Augustini Dunblanensis et Dunkeldensis Respectiue Diocesum in fauorem Jacobi Drummond filij Dicti Dauidis cedere cupiat, A Sanctitate Tua non solum instanter petimus ut istam cessionem admittere ac Diplomata Desuper necessaria concedere verum ut eadem gratis et citra alicuius ob id pecunie numeracionem (iactura graui bonorum genitoris istius cessionarij in religionis nostre catholice et sedis Apostolice obedientie defensione· Ac fructuum Dicti monasterij tenuitate id exigentibus) Dare Dignetur · Ac vna Ducentarum librarum monete nostre Ioanni gordoun et altera pensiones annue centum librarum monete similis laurentio etiam gordoun super Dicti monasterij fructibus assignentur Iuxta seriem mandatorum que Sanctitati Tue offerentur· Sic certe huic sacerdotio Illiu[s]que commodo vt nunc sunt tempora, quam rectissime consuletur · Nobisque Res admodum grata prestabitur· Cetera quæ huc spectant ex Reuerendissimo cardinali e sermoneta rerum nostrarum promotore latius intelliget Sanctitas Tua Quam Diu incolumem ad christiane Religionis simultates componendas inque pristinum statum Restaurandas conseruet Deus Optimus Maximus· Datum . . .

Sanctitatis Tue Deuotissima filia

MARIA R.

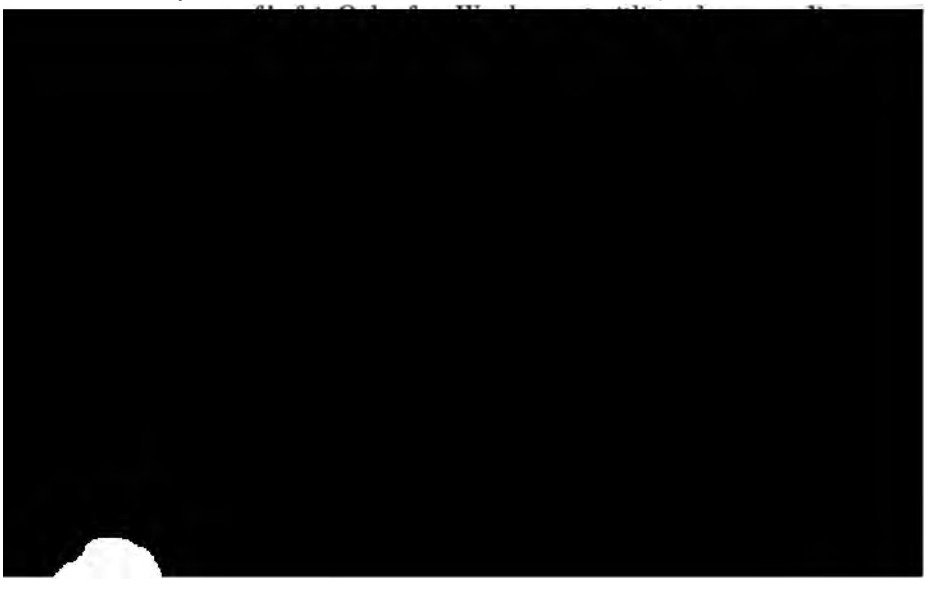
VIII

Littera Jacobi drummond.[1] 1265.

Marie be the grace of god Quene of Scottis To the lordis of oure sessioune and all and sindrie oure liegis quha is addettit or astrictit To mak payment of ony mailes fermes gressumes annuellis teindis teind schaves caynis multuris fischeingis oblationis or vthiris dewiteis quhatsumeuir vsit and wont tobe payit to the abbay vnderwrittin ony maner of way greting Wit ye ws To haue gevin grantit and disponit and be thir oure lettres gevis grantis and disponis To oure louit clerk James drummond of the diocye of dunblane Induring all the dayis of his lyftyme The abbay and benefice of oure abbaye of incheffray within the diocye foirsaid with the place yairdis kirkis benefices alsweile personagis

[1] From the original, Dupplin, No. 48. A small fragment of the Privy Seal in red wax remains attached, on a strip of the parchment of the deed.

as vicarages thairof landis mylnis mulcturis fischeingis mailes gressumes entresis caynis dewiteis dew fermes fruitis rentis proventis emolimentis teindis teindscheves muris medois mosis pasturis lesures fre Ische and entre annexis connexis fredomes Jurisdictionis aisiamentis casualiteis and all rychtious pertinentis pertenand or that Justlie may pertene thairto ony maner of way With court plaint herezeld bludewitis amerchiamentis vnlawis of courtis with mercheitis aduocatioun and donatioun of benefices quhilkis wer vsit tobe at the abbottis or commendataris gift of oure said abbay withe all vthiris commoditeis fredomes priuilegis proffittis and dewiteis alsweile nocht nemmit as nemmit Quhilkis pertenit of befoir to the abbottis conuentis and commendataris of the foirsaid abbay in ony tymes past Be Ressoun of dimissioun and resignatioun of the said abbay and benefice maid simpliciter in oure handis Be Alexander bischop of galloway commendatar of the said abbay and benefice with all fredomes commoditeis and vthiris foirsaidis be als valiable and of als greit strenth force and effect To the said James Induring his lyftyme as gif he had bene provydit thairto of auld be oure supplicatioune and bullis apostollik past thairuponne Intimet acceptit be ws and dispensit thairanent in all behalfis anentis habite qualificatioun and all vthiris vsit for the tyme With the quhilkis we for ws and oure successouris alsua dispensis be thir oure lettres With power to the said James his factouris and chalmerlanis in his name during his lyftyme To Intromet with the said abbay place yairdis fruitis rentis emolimentis annexis connexis and vthiris abonewrittin And to Jois bruke and vse all priuilegis and fredomes thairof alsfrelie as ony abbottis or conuentis thairof vsit or mycht haue vsit the



chalmerlanis in his name Induring the space abonewrittin towart the premisis Provyding all wayis that gif It salhappin the said James to deceis before the said alexander bischop of galloway and commendatare foirsaid That than and in that caice The said commendatare To haue full regres and ingres In and to the said abbay fruitis and proffittis thairof als frelie in all soirtis Induring his lyftyme eftir the said James deceis as gif he had nocht dimittit the samyn in oure handis nor the samyn grantit and provydit to the said James as said Is And that thir oure lettres vnder oure priue seile contenand the premisis be sufficient lettres of regres to the samyn als valiabill and of als greit strenth force and effect as he had obtenit lettres of the seat of rome of regres thairto as vse wes for the tyme Gevin vnder oure Priue Seile At Edinburghe The Twenty sext day of Julii the yeir of god M v^{c} thre scoir fyve yeiris And of oure Regnne the Twenty thre yeir.

Per Signaturam Manu Supreme Domine Nostre Regine Subscriptam.

IX

[Institutio Jacobi Drummond in Abbaciam.[1]] 1265.

In Dei Nomine Amen per hoc presens publicum instrumentum Cunctis pateat Euidenter quod anno incarnationis dominice millesimo quingentesimo Sexagesimo quinto mensis vero augusti die secundo Regnique Supreme Domine Nostre Regine anno vigesimo tertio in mei notarij publicj et testium infrascriptorum presentiis personaliter constitutus Jacobus drummond clericus dunblanensis diocesis accessit ad monasterium insule missarum vocatum Et ad capitulum monasterij infra Ecclesiam eiusdem situatum Et Ibidem dictus Jacobus quasdam litteras Reginales sue prouisionis ad abbaciam predicti monasterij per serenissimam et illustrissimam principem Scotorum Reginam in forma solita sigillo priuato dicte principis ut moris est pendente sigillatas et Roboratas sibi super dicta abbacia duranti vita Eiusdem prout in eisdem de datis apud Edinburgh vigesimo sexto die mensis Julij anno domini millesimo quingentesimo Sexagesimo quinto latius continetur venerabili Et religioso viro domino andree gerdin prefati monasterij superiori in dicto capitulo in presentia reliquorum canonicorum

[1] From the original, Dupplin, No. 151.

Eiusdem capitulariter congregatorum presentauit exhibuit et intimauit Eundem dominum andream Requirendo quatenus sibi ut indubitato abbati sepedicti monasterij institutionem et possessionem eiusdem cum Juribus fructibus Redditibus prouentibus Emoliamentis terris decimis domibus annexis et connexis quibuscunque Secundum tenorem sue prouisionis Ac locum in capitulo et Stallum in choro traderet Et assignaret Et sibi obedientiam ut abbati legitime prouiso prestaret Et per Reliquos Eiusdem loci canonicos Religiosos prestare faceret / Quiquidem dominus andreas tanquam obedientie filius Intelligens dictam Requisitionem fore iustam et Rationi consonam dictas litteras prouisionis dicti Jacobi ad dictum monasterium factas ad manus recepit Et in capitulo prefato perlegi causauit / quibus perlectis Prefatus dominus andreas Prenominatum Jacobum ut abbatem predictum in abbacia Eiusdem per deliberationem biblie Et clauium Ecclesie dicti monasterij instituit Et Eundem in possessionem realem Eiusdem induxit Et imposuit Stallumque in choro locumque in capitulo in signum sui realis possessionis eiusdem monasterij proficuorum quorumcunque Eidem spectantium assignauit Ipseque dictus andreas et Reliqui Eiusdem loci cononici capitulariter congregati prefato Jacobo ut indubitato abbati ad Eandem abbaciam legitime prouiso obedientiam prestiterunt Et in futurum prestari promiserunt Et quandam summam pecuniarum per Jacobum drummond in ochtirardour tenentem dicti monasterij persolutam in signum sui realis possessionis eiusdem deliberauit Et Eundem Jacobum in pacifica possessione prefati monasterij Inuestiuit Et in pace dimisit nullo opponente aut contradicente Super Quibus omnibus Et singulis dictus Jacobus abbas antedictus A me notario publico subscripto

cepi de qua presens publicum instrumentum manu mea propria fideliter scriptum Exinde confeci Et in hanc publicam instrumenti formam redegi Signoque nomine cognomine Et Subscriptione meis solitis Et consuetis signaui in omnium et singulorum premissorum veritatis fidem et testimonium Rogatus Et Requisitus.

X

1265/6.

Litera Davidis Domini Drummond [1]

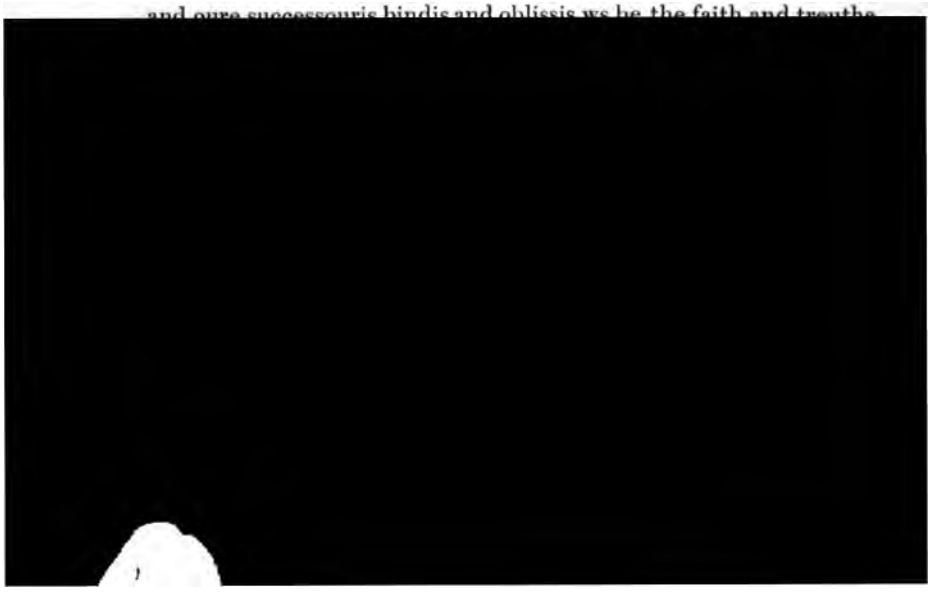
HENRICUS ET MARIA dei gracia Rex et Regina Scotorum OMNIBUS probis hominibus suis ad quos presentes litere peruenerint salutem SCIATIS nos quasdam assedationis et locationis literas factas datas et concessas pro magnis pecunie Summis et aliis rationabilibus causis in illis specificatis per Reuerendum patrem alexandrum episcopum galwidie seu candidecase commendatarium Monasterii nostri seu abbacie insule missarum vulgo inchecheffray nuncupate et conuentum eiusdem capitulariter congregatos dilectis nostris consanguineo et consanguinee dauidi domino drummond et domine lilie ruthuene sue sponse eorum alteri diutius viuenti suis assignatis et subtenentibus vnum [*sic*] vel pluribus de tota et integra dicta nostra abbacea monasteriali loco et domin[i]o de Inchecheffray cum domibus hortis edificiis pratis lie mossis moris marresiis aquis piscariis parcis pasturis fructibus terris ecclisiis tam de vicariis quam rectoriis firmis feodifirme firmis redditibus prouentibus et patrimonio quocunque in generali Acetiam in speciali huiusmodi spectantibus Acsi eadem particulariter expressa fuissent fuissent [*sic*] Annualibus redditibus firmis pecunie Summis tam non nominatis quam nominatis heredis aut heredum duplicatione non-introitibus firmis feodifirme cum occurrerent in eorum introitu cum proprietatibus et superioritatibus patrimonio eiusdem predicto annexis et connexis pertinentibus seu iuste siue rite quouismodo antiquo rentali dicti loci conformiter pertinere valentibus augmentatione feodifirmarum cum ariagio cariagio deuoriis et debito seruicio vsitato et consueto Caponibus aucis pultreis equinis granis stramine seu pabulo glebis cespitibus lie wedderis herezeldis tenen-

[1] From the original, Dupplin No. 134. A large fragment of the Great Seal remains attached, on a strip of the parchment of the deed. The original tack, with the Abbey seal and signatures of the commendator, prior, and ten canons, is also in the Dupplin Charter-chest (No. 47).

cium seruiciis simili modo Et adeo libere Acsi ipsi aut eorum predecessores abbates vel commendatarii prefati abbatie vel ipsorum camerarii ac granatarii gauisi possederunt ve[l] perprius vsi sunt pro omnibus diebus et terminis dictorum nostrorum consanguinei et consanguinee vite tempore pro annua solutione certarum firmarum et deuoriarum prelibatis commendatariis et conuentui atque aliorum annuorum et pensionum in dictis locatione et assedatione sub communi sigillo prescripti monasterii subscriptionibusque manualibus commendatarii et conuentus eiusdem antedictorum specificatarum et contentarum BE IT KEND till all men be thir present lettres ws alexander be the mercy of god archibischop of athenis postulat of galloway commendatar of the abbay of Inchecheffray and conuent thairof cheptourlie gadderit for the valite and proffet of ws our successouris and oure said place of inchecheffray befoir sene and considderit and mature deliberatioun had thair vponn for reparatioun and vphalding of the samin and patrimonie thairof for vplifting of the fructis males firmes rentis prouentis and vthairis dewiteis fra oure tennentis and parrochinaris of all and sindrie oure landis and kirkis liand within the schirefdome of perth and Stewartrie of stratherne and within the barony of maderdy and lordschip of cardnye respectiue ffra quham in thir rebelliouis dayis throw laik of iustice and persecutioun of the spiritualitie and spoilzeing of thair landis and fructis the samin culd nocht be obtenit And vnto that tyme that the eternale of his prouidence reduce iustice heirintill and the samin ministrat to his afflictit now arraybit in diuersse partis It is thocht expedient be ws for the caus aboune and vndir specifiit oure said place and patrimonie be sett in tak and assedatioun and that for gret Sowmes of money payit and deliuerit to ws at the making of thir presentis

mvris myris watteris fischeingis perkis pasturagis fructis landis kirkis alsweill of vicareageis as parsonages few males fermis rentis prouentis and patrimonie quhatsumeuir in generale and in speciale belanging thairto as the samin wer perticularle expressit annualis zeirlie males Sowmes of money alsweill vnnemmit as nemmit non enteres of air or airis duplicatioun of few males quhen thai occur in thair entres with propertie and superioriteis of the patrimonie foirsaidis annexis and connexis pertening or that rychteouslie may pertene ony maner of way conforme to the auld rentale of oure place augmentatioun of fewis with areage careage dewiteis and vthair dew fermes vsit and wount Caponis geis pultrie hors corne stray peitis turris wedderis herezeldis seruice of tennent and tennentis siclike and als fre as we or ony vtheris oure predecessouris abbotis or commendataris of the said abbay or ouris or thairis granitaris or chalmirlanis in ouris or thairis Names Josit brukit or intromettit with befoir ffor all the dayis space zeiris and termes of the said lord and ladeis lyftimes eftir thair enteres thairto Quhilk entres wes and began to oure said place and monasterie of inchechaffray and patrimonie aboun writtin at the last feist and terme of lammes in the zeir of god j^{m} v^{c}
zeiris and sua furth to indure for all the zeiris and dais of thair liftimes as said is And with all and sindrie proffettis commoditeis and richtuous pertinentis abounwrittin With power to gar set and affirme courte or courtis for obtempering of the samin bailzeis and vthairis menbris thairof to cheis creat and gar be suorne and vndir thame tobe substitute vnlawis and eschetis of court to intromet with to thair vtilite and proffet And generalie all and sindry vtheris thingis to do exerce hant and vse concernyng the premisis during the said space foirsaid in Josing of our said place vplifting of the patrimonie pertenyng thairto astrictit dewiteis and dew seruice foirsaidis and conuersioun of the fructis prouentis and emolumentis and richtuous pertinentis to thair peculiar vsis in all behalfis as we mycht haue conuertit vsit or disponit thairuponn afoir the making of thir presentis Providing that the specialite heirin expremit mak nocht dirogatioun to the generalitie nort zit the generalitie to the specialite but that ather of thame supplie vthairis Quhilkis Intromissioun intresis of airis and acquittances of ressait during the zeiris abounwrittin Swa tobe gevin and grantit be the saidis lord and lady the langar levand of thame tua Indur-ing thair liftymes We for ws and oure successouris Ratefeis and appreuis tobe als sufficient and of als grite force and effect as the

samin wer gevin be ws or thame Than as now and now as than Oblissing ws neuir to contravene na point thairof nor to mak Impediment thairintill be ws or oure successouris nor nane vtheris in oure Names to call or persew eftirwart the tennentis or parrochinaris for the samin during the tyme aboun specifeit and to that effect hes deponit o[u]r bodely athis PAYAND heirfor zeirlie the said dauid lord drummond and dame lilias his spous the langar levand of thame Induring thair lyftimes To ws and oure successouris procuratouris or factouris having sufficient power thairto The Sowme of Nyne hundrethe markis vsuall money of scotland at tua vsuale termes in the zeir witsounday and martimes in winter be equale portiones allanerlie As to the conuent of the said abbay and ilkane of thame present thairin The said nobill lord and lady sall nocht be haldin to pay thame thair haill portionis nor na mair nor salbe diuisit be the congregatione conforme to the commoun ordoure of the realme considdering the rentis of the said abbay be the rentis of vtheris abbayis and the said conuentis portionis or zeirlie pensioun tobe modefeit conforme thairto And zeirlie to thir personis vndir writtin the Sowmes of money vnder specifeit and victualis conforme to thair lettres of pensionarie giftis and assignationis maid to thame thairuponn Viz/ to dene patrik murray fourty poundis and fourty markis To schir Johnne moir the vicarage of monyvard or ellis tuenty markis To hary drummond tuenty markis To alexander scot tuenty markis and for the wedset land tuenty sex pundis threttene schillingis iiij d To william murray thre chalderis wictuale for wedset To the puir tua chalderis meill As at mair lenth is contenit in thair lettres allanerlie AND WE FORSUTH the said commendatar and conuent and oure successouris bindis and oblissis ws be the faith and treuthe



of this oure assedatioun during the tyme abounwrittin and sall warrand the samin of all texationis of king or quene gife ony salbe vpliftit thairof And gyf ony beis vpliftit the samin tobe tane and allowit in the zeirlie rent furthcumand to ws and oure successouris IN WITNES heirof to thir oure present lettres of assedatioun Subscriuit with oure handis The commoun seill of the cheptoure of oure said abbay is appendit AT Inchecheffray the Sevint day of Nouember The zeir of god Ane thousand fyve hundreth thre scoir zeiris QUASQUIDEM literas locationem et assedationem in eisdem contentas etc. approbamus Ratificamus ac pro nobis et successoribus nostris perpetuo confirmamus INSUPER volumus et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod hec presens confirmatio ratificatio et approbatio vnacum principali assedatione super qua hee presentes conceduntur Jam sunt et in omnibus affuturis temporibus durante spacio prescripto erunt tam grandis vigoris fortitudinis et effectus prenominatis dauidi domino drummond et liulie ruthuene domine drummond sue sponse eorum diucius viuenti suis assignatis et subtenentibus supradictis Ac si dicta assedatio concessa facta et data fuisset ac confirmatio desuper accessa seu expedita in romana curia per ordinem extunc obseruatum seu alias per nos per nostras leteras sub nostro magno sigillo in maiori largiori forma fuisset ante quecunque acta statuta leges ordinantias aut ordinem quemcunque facta seu factas in contrarium penes que acta statuta ordinantias leges consuetudines et ordinem quemcunque factum seu faciendum in contrarium huiusmodi omnesque penas et defectus in eisdem contentas Nos pro nobis et successoribus nostris pro perpetuo per presentes dispensamus Ad effectum quod prelibati dominus et domina sui assignati et subtenentes prefatis monasterio loco terris omnibusque in predicta assedatione huic conformiter toto spacio in eadem contento durante possedere et gaudere valeant absque reuocatione per nos in contrarium eiusdem facienda quacunque Et causu quo illa reuocatio postea fieri contigerit de ullis feodifirmis assedationibus aliis ve Juribus terrarum ecclesiasticarum vel beneficiorum verbo regio promittimus per presentes quod hec presens assedatio nec confirmatio desuper secuta sub dicta reuocatione nullatenus comprehendatur neque nullum preiudicium nec dirogationem huiusmodi faciet Ad hunc quoque effectum ordinamus et oneramus dominos nostri consilii et sessionis per presentes quatenus literas in quatuor formis Ad causandum Memoratos dominum et dominam eorum assignatos et subtenentes supra-

scriptos in omnibus in predicta assedatione specificatis spacio durante in eadem contento eedem conformiter atque huic nostri confirmationi desuper concesse in maxima ampliori et acutiori forma responderi concedant et donent IN CUIUS REI testimonium presentibus magnum sigillum nostrum apponi fecimus Apud Edinburghe vicesimo quarto die mensis februarij Anno domini Millesimo quingentesimo Sexagesimo quinto Annis regnorum nostrorum primo et vicesimo quarto.

XI

c. 1609. [Extract from the King's Signature of the erection of Inchaffray into a temporal Lordship.[1]]

. . . . . .

Ordaneis ane chartour to be maid vnder his hienes greatt seill in the maire forme · Gevand grantand and disponeand To the said Johne Drommond (eldest lauchfull sone and apperand air to James now lord of Madertie), and his airis maill quhatsumevir, . . . The landis of Williamestoun and landis thairof callit Sanctanislandis Sanctanis mos alias Abbotis mos, The landis of Soutartoun and Welcroft thairof, The landis of Wester Dubheid Middill Dubheid with the Southsyd, The landis of Over Dubheid and Eistir Dubheid, The landis of Dischakeris Sklaiterland and Cunyngfauld Eisterlie Selleris midow Mitchelcroft and Brumefauld Welcroft thaire Newra Reidfuird Arbaneis and the landis callit the meidow of Arbaneis and croft thairof callit the Abbayis croft and the landis callit the Westhill, The landis of Balmaclone with the mure and

sequeillis thairof, with the pertinentis of the same, The landis of Mekven alias Breulandis, the landis of Nathir Cairnie with the mansioun maner place orcheardis yairdis mylne mylnlandis multureis fischeingis and pertinentis thairof The landis of Meikle Cairnie the mos and wodland thairof and Chapell of the Mure, the landis of Dalharrochie the landis of Kincledie teindis thairof Includit Rahallo Incheneth Calsayend and Wardanes croft Abbotis croftis in Gorthie the landis of Donydowis Muckcroft the landis of Bowtoun in Kilbryd together with the haill yairdis and orchardis of the said abbacie of Incheffray and medowis thairof wiz. Eistir and Westir Cammageis meidoweis the Langmedow the tua Inschenaillis and Pryouris meidow the waird hay grein and mos callit the Westmos with the haill Maynis of the said abbay the Wolcroft Gedstankis, the maltbarne thairof the croft callit the Maltcroft with the mylne and mylndam of Incheffray lyand besyd the Maynis and astrictit multuris of the same the kill and haill housis yeardis and grenis lyand besyd the same the landis callit the Threiphill of Auchterardour with the pertinentis, the landis of the paroche kirkis of Tullischatill and Strowand, the landis callit Dewaris landis Ballandewaris the kirkland of the paroche kirk of Monyvaird the yaird in Dumblane pertening to the said abbacie the kirklandis of the kirkis of Madertie Foullis, Kinkell, Auchterardour, Trinitie Gask Abruthvene Donyng, Kilbryd Killen and Straphillen, All lyand within the schirefdome of Perth, the kirklandis of Balfran lyand within the schirefdome of Striuiling All and haill the landis of Auchincloiche in Lorne with the pertinentis the kirklandis of the paroche kirkis of Incheschaw and Kilmorich lyand within the schirefdome of Argyll Exceptand alwayis the mansis and gleibis of the haill foirsaidis kirklandis To the ministeris present and to cum serveing the cuir of the saidis kirkis Conforme to the act of Parliament maid thairanent And siclyk all and sindrie the annuelrentis vnderwrittin, . . To witt ane annuelrent of ane chalder ait meill furth of the landis and baronie of Machanie, Ane annuelrent of ten merkis money of Scotland furth of the landis of Pitcairnis Ane annuelrent of ten schillingis furth of the landis of Carnebo, Ane annuelrent of four pundis furth of the landis and baronie of Abircairny Ane annuelrent of fourtie schillingis furth of the landis of Keltie ane annuelrent of fourtie schillingis furth of the landis of Ane annuelrent of schillingis furth of the landis of Porterland, Ane annuelrent of ten schillingis furth of the landis of Kinglassieland, ane Annuelrent of threttie schillingis furth of ane

tenement of land lyand within the burgh of Perth in the Hiegait and vpone the north syd thairof sumtyme occupyet be

And ane annuelrent of fyve schillingis furth of ane hous and croft in Auchterardour With all and sindrie annexis . . . quhilkis pertenit of befoir to the said abbacie of Incheffray as ane pairt of the temporalitie patrimonie and propertie thairof And ar now fallin and becumin in his maiesties handis and at his hienes gift and dispositioun be ressoun of the foirsaid act of annexatioun of the haill kirklandis of this realme to the croun, And now ar dissoluit fra the said act of annexatioun be wertew of the said act of dissolutioun maid in his hienes parliament thairanent . . . . and siclyke . . . the monasterie and abbay place of Incheffray with the haill housis biggingis yairdis orcheardis dowcattis and wtheris lyand within the precinct of the said abbay and all thair pertinentis with the haill woll lambis and cheis of the wiccarage of the paroche kirk of Strageyth pertening to the said abbacie as ane pairt of the patrimonie thairof Together with the advocatioun donatioun and richt of patronage of the paroche kirkis wnderwrittin personages and wiccaragis theirof of auld vnit and annexit to the said abbacie wiz. The paroche kirkis of Madertie Foullis Kinkell Abruthvene Donyng Auchterardour Trinitiegask Monyvaird Strowan, Tulliechatell Killen Straphillene and Kilbryd lyand within the schirefdome of Perth, Off the kirkis of Incheschall and Kilmorich lyand within the schirefdome of Argyll, And of the kirk of Balfrane lyand within the schirefdome of Striuiling, Quhilkis pertenit of befoir to the said James commendatare of the abbay of Incheffray and convent thairof And wer be thame Resignit in the handis of our said souerane lord . . . . .

[With a clause of Novodamus]

sall nawayis be preiudiciall to the said James Lord of Madertie for bruiking of the said benefice of Incheaffray . . . alsweill temporalitie as spiritualitie during all the dayis of his lyftyme.[1]

[1] There is a docquet as follows:—This signatour conteyneth a grant maid be your maiestie to Johne Drummound eldest sone and appeirand heire to the lord Madertye of the heretabill erectioun of the Abbacye of Inchechaffray Spiritualitye and temporalitye of the said prelacye in ane lordship with plaice and voice in parliament with a reservatioun alwayes to James lord Madertye his father dureing lyife to brwik and possesse the same / The samine signatour conteyning no regalitye bot otherwayes drawin vp in the ordinary and accustumed forme of other erectionis.—ALEXR. HAY.

ABSTRACTS OF THE FOREGOING CHARTERS, BULLS, ETC.

I

[Symon, bishop of Dunblane, grants the church of St. John of Inchaffray to Isaac and his successors.[1]]

Symon, bishop of Strathern, makes known to 'all the parsons, priests, clerks and laymen of his bishopric' that he has granted and confirmed 'to this Isaac and all his successors' the church of St. John the Evangelist, of Inchaffray, with all pertinents acquired or to be acquired. He also grants the right of sepulture at Inchaffray to all who desire it, the dues of their own [parish] church having been paid. Any one who after three warnings continues to oppose the purport of this writ shall be subject to excommunication. A blessing is invoked on those who accept it. Witnesses . . . [*c.* 1190.]

II

[Earl Gilbert grants to the brethren of Inchaffray a croft of three acres.]

Gilbert, earl of Strathern, makes known that he has given to God, St. John of the Isle of Masses, and the brethren serving God there, three acres of land near the water-trench (*stagnum*) which comes from the said Isle, at Fowlis, free of all secular service. Witnesses . . . [*c.* 1195.]

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[1] The headings of the charters do not always follow the Latin headings. They are intended to indicate briefly the purport of the several charters, which the rubrics often fail to do.

III

[Earl Gilbert grants to the brethren of Inchaffray the church of Abruthven.]

Earl Gilbert makes known that he has given to the brethren serving God and St. John at the Isle of Masses in Fowlis, the church of St. Cathan of Abruthven, for the weal of his soul and the souls of his wife and his ancestors, together with all the tithes, oblations, and obventions of all kinds, and with the land which his father, Ferteth, and his mother, Ethen, gave to the said church in dowery, with common pasture and all other easements. To be held in frankalmoign. Witnesses . . . [*c.* 1198.]

IV

[Earl Gilbert grants to Inchaffray the church of Madderty.]

Earl Gilbert makes known to all his friends and his men that he has given to God and the church of St. John the Evangelist in Inchaffray, and to those serving and to serve the same church, the church of Madderty with all its just pertinents, for the weal of the souls of himself, his wife, his ancestors, and his children, to be held in pure and perpetual alms. Witnesses . . . [*c.* 1199.]

V

[Earl Gilbert grants to Inchaffray a tithe of his cains.]

Earl Gilbert makes known that he has given to God and the

St. Cathan of Abruthven in Strathern, which Earl Gilbert gave to the same place. To be held in frankalmoign with all its liberties and just pertinents. Witnesses . . . At Scone, 5 Sept. [1199 or 1200].

VII

[Grant of the Abthen of Madderty by John, the First, bishop of Dunkeld.]

John, bishop of Dunkeld, makes known that he gives, on the petition of Gilbert, earl of Strathern, and Malise, his brother, to God and the church of St. John of Inchaffray and the brethren there serving and to serve God, his land in Madderty, which land is called Abthen, for the redemption of the souls of himself and his ancestors and of Earl Gilbert and his ancestors. To be held by the brethren and their successors in free and pure alms. *Reddendo* to the bishop and his successors, one mark yearly, half at Whitsunday and half at Martinmas. The land was to be held free of all exaction, custom, and secular service pertaining to the bishop, in wood and plain, meadows and pastures, waters and mills, and all other easements, as freely as any land in his bishopric saving only the aforesaid pension. Witnesses . . . [*c.* 1199.]

VIII

[Bull of Innocent III. in favour of J. hermit and the brethren of St. John of Strathern.]

Innocent, bishop, servant of the servants of God, in response to the petitions of J. hermit, and the brethren of St. John of Strathern, takes under the protection of St. Peter and himself, their persons and property of all kinds, especially the possessions granted to their house by Gilbert, earl of Strathern, in alms. 'To no man therefore is it lawful to infringe this writ of our protection and confirmation, etc.' 'Given at the Lateran ij. Non. Dec. in the third year of our pontificate' [4 Dec. 1200].

IX

[The Great Charter of Earl Gilbert, founding the monastery of Austin Canons.]

'In the name of our Lord Jesus Christ, who is co-equal and co-eternal with God the Father and the Holy Spirit. I, Gilbert,

son of Ferthead, by the favour of God, earl of Strathern, and I, Matildis, daughter of William of Aubigny, countess, at the inspiration of God, desiring to exalt the church of God in our fee and patrimony, and for the worship of God to plant in the same place nurseries of holy religion,' with the assent of 'our bishops John of Dunkeld, and Jonathan of Dunblane, and the concurrence of our knights and thanes' give, grant and deliver to our Lord Jesus Christ and blessed Mary, his Mother, and to St. John the Apostle, Inchaffray, which in Latin is called 'Insula Missarum,' free and quit of all exaction, service, custom, and secular subjection . . . and it, with all the possessions which the divine bounty has conferred on it or will confer by ourselves or by others of the faithful, 'we commit to the custody and administration of Sir Malise, presbyter and hermit, on whose discretion and piety we entirely rely.' Malise is to have freedom to associate with him whomsoever he wills, and to instruct them, as he thinks fit, in the service of God according to the rule of St. Augustine. After the decease of Malise the head was with the assent of the earl to be chosen only by the concordant election of the brethren; and neither any bishop nor any of the earl's heirs was to presume to intrude any one into the office contrary to the will of the brethren. 'For we hold the place in such affection that we have chosen in it a place of burial for ourselves and our successors, and have already buried there our first-born son. To God, therefore, and St. Mary, ever Virgin, and St. John the Apostle, guardian (*procuratori*) of the same, and to the aforesaid Malise and all serving and to serve God in the aforesaid Isle' the earl grants and confirms by the present writ with the impression of his seal, the churches of St. Cathan of Abruthven, St. Ethernan of Madderty, St. Patrick

pertinents were to be held by Malise and those serving or to serve God with him, or after him, in the said Isle, of the earl and his heirs in pure and perpetual alms, and in the peace of God, the king, and the earl, for the weal of himself, his children, and all his friends, and for the souls of all his ancestors, 'and especially for the soul of Gillecrist, our first-born, who rests there.' He strictly prohibits, under threat of his full forfeiture, any of his people causing trouble or injury to that place, or its ministers, or even to those who fled to it for peace. And whoever of our friends and faithful men charitably grants anything of his resources to the same place, may the Lord grant to him good things in the land of the living. This confirmation was made in the year from the Incarnation of our Lord 1200; Indiction 3; in the thirty-fifth year of the reign of King William; in the second year from the decease of our aforenamed son, Gillecrist.[1] Witnesses . . .

X

[Jonathan, bishop of Dunblane, confirms all the grants of Earl Gilbert's Great Charter, so far as his diocese is concerned.]

Jonathan, bishop of Dunblane, after expressing his joy at the piety of earl Gilbert and Matildis the countess, as shown in founding the monastery, makes known that he confirms to Inchaffray and its inhabitants, dwelling there in the service of God, all its possessions, immunities, and goods of all kinds, whether in churches, or tithes, or farms, or obventions. He declares that the place called in the Scottish tongue Inchaffray is assigned for ever to the exercise of religion according to the rule of St. Augustine. He then specifies by name the four churches, the tithe of cains and rents, etc., 'as the charter of the earl made thereanent testifies.' He adds the right of sepulture, saving the rights of the parish churches of the persons desiring to be buried at the monastery. He prohibits all interference with the possessions of the monastery, 'saving in all things the canonical dues of us and our successors.' He threatens with excommunication those who at the suggestion of the devil act contrary to the purport of his

[1] He died on iij Non. [5th] October.

charter; and he invokes a blessing on those who preserve the rights of the place. Witnesses . . . [*c.* 1200.]

XI

[Earl Gilbert grants certain lands to Inchaffray and the canons there serving God.]

Earl Gilbert makes known that for the weal of the souls of himself, his wife, the countess Matildis, his father, his mother, and his heirs, he has given to the church of St. John the Evangelist, and the canons there serving and to serve, the whole land of Ardeeweni, the whole land of Achadlongsih, the whole land of Dufinder, and the whole of that land of Madderty, which was of old called the Abbacy, by their right marches, and with all their just pertinents. To be held in free, pure, and perpetual alms, in wood and plain, lands and waters, meadows and pastures, moors and marshes, peat-mosses and fish-pools, stanks and mills, with all other just pertinents and other easements, free of every aid and service, custom and secular exaction, as freely as any alms in the kingdom of Scotland is held of any earl. Witnesses . . . [*c.* 1200.]

XII

[Another charter of the same grants with the same witnesses, but with many variants in the spelling of the proper names.]

alms, as freely as any church in the whole realm of Scotland. Witnesses . . . [*c.* 1200.]

XIV

[Earl Gilbert's grant to the canons of the church of Madderty.]

Earl Gilbert makes known that he has granted to God, St. Mary, St. John the Apostle of Inchaffray, and the canons of the same place, and their successors, for the love of God and the weal [etc., as in last charter] the church of St. Ethernan of Madderty, with all its just pertinents in tithes, oblations, and obventions of all kinds, with the land pertaining to the same church, and with common pasture and other easements, to be held of him and his heirs for ever, as freely as any religious in the whole realm of Scotland hold any church. Witnesses . . . [*c.* 1200.]

XV

[Earl Gilbert's grant to the canons of the church of Kynkell.]

Earl Gilbert makes known [in the same language as that employed in No. XIV.] that he has granted the church of St. Bean of Kynkell. Witnesses . . . [*c.* 1200.]

XVI

[Earl Gilbert's grants to the canons of the tithe of his cains, etc., liberty to fish in his waters, and to take timber from his woods.]

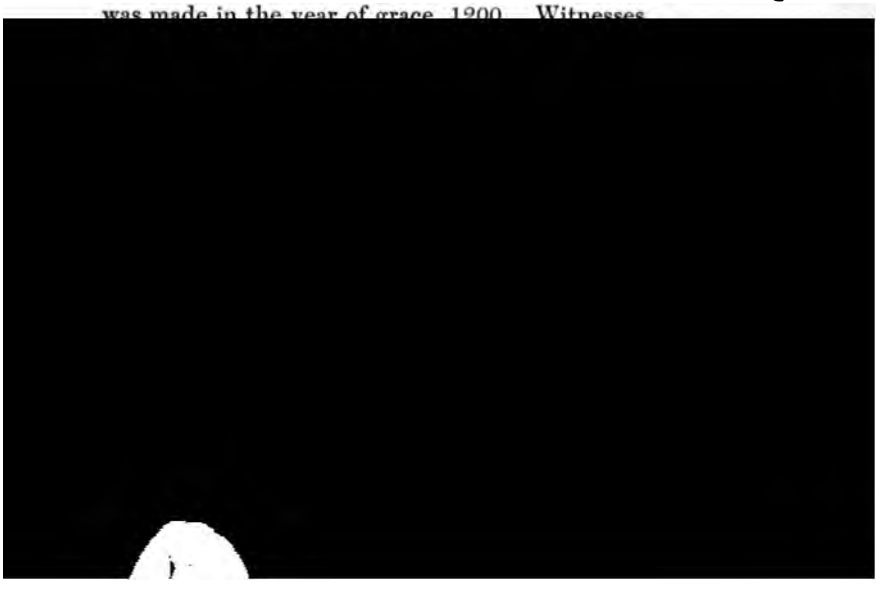
Earl Gilbert makes known that he has granted to Inchaffray and the canons, for himself and his heirs, in pure and perpetual alms, a tithe of all his cains, in wheat, meal, malt, cheese, flesh, beasts, and of all his hunting, and of fowl and fish, and all things used as food and drink. 'Also victuals for their servant, whomsoever they shall place in our court for demanding and receiving on their behalf our aforesaid tithes, as fully and honourably as for one of our own servants. Also leave to fish in the Pow Water (*Peferin*) and in our other waters, where and when they wish. Also timber for the building of the construction of their buildings, and pannage and bark, and wood for fuel to be taken in our woods, where it seems to them most convenient, and as much as

is needful for them.' All the above to be possessed by them as freely as any religious in the whole realm of Scotland hold any alms. 'This gift was made in the year from the Incarnation of our Lord 1200.' Witnesses . . .

XVII

[Earl Gilbert grants to the canons leave for fishing and fowling. He grants second tithes as recounted in No. XVI.: also the right of cutting timber, and of pannage. He also promises that he and his heirs will not convey any land or let it for rent without securing the rights of Inchaffray.]

Earl Gilbert makes known that he has granted to Inchaffray, in pure and perpetual alms, for himself and his heirs, a tithe of all his rents (*firmarum*) and cains [as in No. XVI.]; and victuals for the canons' servant [as in No. XVI.]; also liberty for fishing and fowling through all his lands, waters, and lakes; also he grants from his woods timber for their buildings and all other uses; and pannage and bark, and fuel. He also grants to the canons that neither he nor his heirs will in future make any grant of land, or let land for rent, without securing to the canons from such lands all the rights which were due to them while such lands were in the immediate possession (*dominio*) of the earl. Wherefore if any one exhibits against them any charter with the purpose of maintaining that the canons ought not to claim or exact their right, the earl testifies that such charter is to be annulled. This grant was made in the year of grace 1200. Witnesses



Earl Gilbert testifies. Witnesses . . At Stirling, 13th day of August [*c.* 1201].

XIX

[Earl Gilbert grants a place for a mill on the Pow Water.]

Earl Gilbert makes known that he has given to Inchaffray and the canons, a place for a mill on the Pow Water in the land of Balmakgillon, with toft, stank, and other easements pertaining to the mill, to be held of him and his heirs in pure and perpetual alms, save the suit (*secta*) of his men, who ought to resort to his mills. Witnesses . . . [1201-3.]

XX

[King William's confirmation of the lands granted by Earl Gilbert.]

W., by the grace of God, king of Scots, makes known that he confirms to God, St. John of Inchaffray, and the canons there serving and to serve, that gift which Earl Gilbert of Strathern made of the whole land of Ardehewni . . . Archadlongsih . . . Dufhinder . . . and of that land of Madderty which of old was called Abthen, by their right marches and with all their just pertinents, as freely . . . as the charter of Earl Gilbert justly testifies, 'yet so that the said earl and his heirs will perform the whole service due to me and my heirs from the remainder of Madderty.' Witnesses . . . At Stirling the fifth day of April [1201 or 1202].

XXI

[Bull of Innocent III. taking the monastery of St. John of Inchaffray under his protection, and confirming to it its possessions.]

'Innocent, bishop, servant of the servants of God, to his beloved sons, the Prior and canons of the monastery of St. John, Apostle and Evangelist, of Inchaffray.' He assents to their petitions, and takes the monastery under the protection of St. Peter and himself. Their possessions and goods of all kinds which the monastery at that time justly and canonically possessed or might

afterwards acquire by the grants of bishops, the bounty of kings or princes, or by the offerings of the faithful, or in any other just way, were to remain inviolably theirs. He then particularises: (1) the place in which the monastery was situated; (2) the churches of St. Katan of Abruthven, St. Ethernan of Madderty, St. Patrick of Strugeith, St. Makessoc of Auchterarder, the church of Dunning, the church of St. Bean of Kinkell, with all their pertinents, and as granted by Gilbert, Earl of Strathearn, the right of patronage of the aforesaid churches; (3) the mill on the Pow Water at Ballemacgillon; (4) a tithe of the earl's cains and rents in wheat, etc. [as in the great charter No. IX.]; (5) a tithe of the produce of his hunting, and of all the gains which are known to come from his courts and from other things; (6) leave to fish wherever they will in the Pow Water; (7) of the gift of the same, from his woods, timber, pannage, bark, and fuel; (8) the three acres of land nearest to the isle towards the north, which he granted at the building of the church; (9) the whole land of Ardeugani, the whole land of Achatlongsi, the whole land of Duuinder, the whole land of Madderty, which was of old called Abthen, with all their pertinents, in wood and plain, etc.,' as in his [the earl's] originals (*autenticis*) is more fully contained'; (10) of the gift of the late Orable, mother of Seher de Quincy, eight acres of land in the territory of Gask; (11) the liberties, ancient immunities, and reasonable customs granted to their church, and hitherto observed, the Pope holds as ratified, and sanctions their remaining unimpaired for all time; (12) it is declared lawful for them to receive and retain without contradiction clerks, and laymen who are freemen, when fleeing from the world to join the monastery (*ad conversionem*); (13) he prohibits any brother after

[The bull closes with the usual formula, 'We decree therefore,' etc.]

'Given at Ferentino ij. kal. Julii (30 June) in the sixth year of our pontificate (A.D. 1203).'

XXII

[Confirmation by King William of Earl Gilbert's gift of the church of Dunning and of the church of St. Serf of Monivaird.]

W., by the grace of God, king of Scots, makes known that he has granted and by this charter confirmed, to the church of St. John of Inchaffray and the canons there serving and to serve, that gift which Earl Gilbert made them of the church of Dunning and the church of St. Serf of Monivaird in free, pure and perpetual alms. Witnesses . . . At Haddington, 24 April [1203 or 1204].

XXIII

[Confirmation by Richard I., bishop of Dunkeld, of the Abthen of Madderty.]

Richard, by the grace of God, bishop of Dunkeld, confirms the grant made by his predecessor John (No VII.) Witnesses . . . [1203-10.]

XXIV

[Confirmation by King William of certain lands.]

W., king of Scots, makes known that he has confirmed to the canons of Inchaffray earl Gilbert's gift of Ahchelunche, Ardweni, Duffindir, Ardbanine, and Baleful, in free, pure, and perpetual alms, as the earl's charter testifies. Witness . . . At Stirling, 19 July [1204-6].

XXV

[Earl Gilbert grants the chattels of executed criminals to the monastery.]

Earl Gilbert makes known that he has given, for the love of God, and the weal, etc. to the canons of Inchaffray the following

'liberty,' that if any of their men, from the lands which he has given them in pure alms, be indicted in his court for theft, or any other crime which pertains to his court, and if he shall be condemned, his body shall be left to the earl and his heirs, 'so as to preserve the rights of our court'; but all his chattels shall belong to the canons. The whole of pecuniary fines of his court, inflicted on their men, shall go to the canons. Witnesses . . . [1203-8.]

XXVI

[Grant of a croft in Edardoennech by Tristram.]

Tristram makes known that he has given to the canons of Inchaffray, for the love of God and the weal of his soul, the croft in his land of Edardoennech, which is nearest to the stank of the mill of Gortin, by those marches which Malise, the prior, held in his life-time. To be held of Tristram and his heirs in frankalmoign. Witnesses . . . [*c.* 1208.]

XXVII

[Confirmation of No. xxvi. by Earl Gilbert.]

Gilbert, earl of Stathern, makes known that he confirms to the canons of Inchaffray the gift of Tristram, to wit, the croft [as in No. xxvi.] Witnesses . . . [*c.* 1208.]

XXIX

[Confirmation by King William of the grant, No. XXVIII.]

W., king of Scots, makes known that he has confirmed the gift made by Earl Gilbert of the church of St. Bean of Fowlis, to the canons of Inchaffray, with all the just pertinents of the church, to be held in pure and perpetual alms as freely and fully as the charter of the said earl testifies. Witnesses . . . . At Forgrund, 3 Dec. [1211-4.]

XXX

[Bishop Abraham's grant of the church of Abruthven.]

Abraham, bishop of Dunblane, makes known to all the sons of holy Mother Church that at 'the presentation of G., earl of Strathearn,' he has given to the canons of Inchaffray the church of St. Cathan of Abruthven in pure and perpetual alms. To be held of the bishop with all its pertinents and obventions of all kinds for their own use (*in proprios usus suos*) as freely and fully as any religious in the whole realm of Scotland hold churches, saving his episcopal dues. Witnesses . . . [*c.* 1211.]

XXXI

[Bishop Abraham's grant of the church of Auchterarder.]

Abraham, bishop of Dunblane, makes known [the language of No. XXX. is followed save for the name of the church, 'St. Mahessoc of Huctherardour.'] Witnesses . . . [*c.* 1211.]

XXXII

[Confirmation by John II., bishop of Dunkeld, of the grant of the church of Madderty.]

John, bishop of Dunkeld, makes known to all the sons of holy Mother Church that in redemption of the souls of himself and his successors he has granted and confirmed to J[ohn] prior, and to all serving and to serve God under monastic rule (*sub religione*) at Inchaffray, the church of Madderty, with all its just pertinents. To be held as fully and freely as any church in his bishopric was held by any religious house, and as the charter of John, his predecessor, testifies, saving episcopal rights. Witnesses . . . [*c.* 1211.]

XXXIII

[Grant of Balmakgillon by Earl Gilbert.]

Gilbert, earl of Strathern, makes known that he has given to the canons of Inchaffray, Balmakgillon, by its right marches, and with all its just pertinents. To be held in frankalmoign, in wood and plain, lands and waters, meadows and pastures, moors and marshes, stanks and mills, fish-pools and fisheries, as freely and fully as any alms in the whole realm of Scotland is held of any earl or baron. He and his heirs will perform the forinsec service of the king due from the land. Witnesses . . . [1210-18.]

XXXIV

[Grant of a site for a mill by Earl Gilbert.]

Gilbert, earl of Strathern, makes known to all his beloved friends that he has given to the canons of Inchaffray a site for a mill on the Earn-water, wherever they may choose on the east of the mill which, at the time this charter was composed, was at Dunfallin, on the condition that their men should assist his men in making a stank or a mill-lade for both the mills, and that they should receive no grain to grind at their mill which came from his own lands, except they had his leave, or the leave of the tenants of his mill. To be held in pure and perpetual alms. Grantor's seal. Witnesses . . . [1210-18.]

XXXV

of Madderty, as fully and freely as the charter of gift granted by his predecessor, John I., testifies, since the church of Madderty is in the gift of the bishops of Dunkeld who are acknowledged to be the true patrons. Although it was at the eleventh hour he was called among the labourers of the vineyard of the Lord of Sabaoth by the chief householder of the Gospel, and although his own observance of religious rule might be imperfect and unreal, yet he was bound to cherish it in others, and to treat religious honourably. In compassion for the poverty of the canons he interprets very liberally and favourably the original gift of bishop John, and the confirmations of bishops Richard II. and John II.; and, with the advice of his clergy, he grants that the canons should convert the whole revenues of the church of Madderty to their own uses. Yet they are to present to him and his successors priests for institution to the church, who should be responsible to the bishop in spirituals and as regards the cure of souls; and, if it was preferred, be answerable in temporals to the canons,—saving in all things the bishop's rights. Seal of the grantor. Witnesses . . . [1215-21.]

XXXVII

[Earl Gilbert's gift of part of the adjacent marsh.]

Gilbert, earl of Strathern, makes known that he has given to the canons of Inchaffray in pure and perpetual alms as much of the marsh adjacent to Inchaffray in the shire of Fowlis as was surrounded by a trench in the year in which this charter was composed, namely, 1218. To be held free of all secular service and exaction. Witnesses . . .

XXXVIII

[Seher de Quincy, earl of Winton, grants ten acres in Gask in exchange.]

Seher de Quincy, earl of Winton, makes known that he has given in pure and perpetual alms to the canons of Inchaffray the ten acres in his lands of Gask which by his command had been perambulated by [persons named]. To be held free of all secular service. He gives also the pasture of ten kine in the common pasture of Gask. Seal of grantor. 'Be it known that I have given the aforesaid in exchange for the seven acres which the said canons claimed from me at law.' Witnesses. [Names of witnesses wanting; the charter being incomplete.] [*c.* 1218.]

XXXIX

[Confirmation by Earl Gilbert of his grants in lands and churches.]

To all the sons of holy Mother Church and all the faithful, Gilbert, earl of Strathern, greeting. He makes known that he had founded a house in honour of God, St. Mary, and St. John in his land at Inchaffray, and there had placed canons regular. For the founding of the house and the maintenance of the canons, he had given and by this charter confirmed to the canons Achadlunxech, Ardweni, Ardbani, Dofindre, Balfur, and Balmacgillon, and three acres which are nearest the marsh of Fowlis towards the north; the vill called Ruuehalach, which he had given instead of the tithe of the profits which came from the courts of law in his earldom (profits from all other sources paying their full tithe); and as much of the marsh of Fowlis adjacent to the said Inch as was bounded by a trench in the year 1219: and a mill upon the Earn at Dunfallin, which they constructed near his mill, from the year 1219. All these are to be held by the canons in pure and perpetual alms, in wood and plain, etc., with all their just pertinents, as freely as any alms was held of any earl or baron in the whole realm of Scotland. He and his heirs will perform the whole forinsec service of the king due from these lands. He has also granted to the canons the church of St. Patrick of Strugeith, the church of St. Serf of Dunning, the church of St. Katan of Abruthven, the church of St. Mohessoc of Auchterarder, the church of St. Bean of Kinkell, the church of St. Bean of Fowlis, the church of St. Ithernan of Madderty, the church of St. Serf of

in No. XXXIX.) are particularised. The churches follow as in No. XXXIX.] Witnesses . . . At Scone, 5 January [*c.* 1219-20].

XLI

[Confirmation by Robert, son of Earl Gilbert, of lands and churches.]

Robert, son of Gilbert, earl of Strathern, makes known that for the weal of his soul and of the souls of his father, mother, and ancestors he confirms the gifts made by his father to Inchaffray. [These grants of land are then specified as in No. XXXIX. Then follow the names of the churches as in No. XXXIX. with the addition (as a church granted by his father) of the church of St. Serf of Tulliedene.] To be held as fully and freely as the charter of his father testifies. Grantor's seal. Witnesses . . . [*c.* 1220.]

XLII

[Roger de Quincy's Confirmation of his father's grant.]

Roger de Quincy makes known that for the weal of his soul and the souls of his ancestors he has confirmed to Inchaffray the ten acres in Gask and the pasture for ten kine [as in No. XXXVIII.]. Witnesses . . . [*c.* 1220.]

XLIII

[Earl Gilbert's grant of leave to the canons to hold courts of their own.]

Gilbert, son of Ferthet, earl of Strathern, makes known that he has granted to the prior and canons of Inchaffray, in pure and perpetual alms, liberty to hold courts of their own for the trial of men living on their lands, in the case of any charge being made of an offence which pertained to the earl's court. Their court might be held where, and by whomsoever they pleased. He beseeches his friends, and commands his bailies, his steward, and his deemster, that when asked by the canons they should without delay go to the prior and canons, and hold the canons' courts, even as they would his own. The prior and canons were to have the forfeitures and all that pertained to the earl's court, save only the bodies of criminals. Further he grants leave to the prior and canons to take poinds from his tenants for the tithe which came

to the canons from the earl's gift of tithe, in case payment had not been made at the stated terms. He strictly forbids any of his servants doing violence, or causing disturbance, within the lands of the prior and canons, or making from them any demand. Grantor's seal. Witnesses . . . [*c.* 1220.]

XLIV

[A duplicate of the preceding.]

XLV

[Earl Gilbert's grant of the church of Trinity Gask.]

Gilbert, earl of Strathern, makes known to all the sons of holy Mother Church that he has given in pure and perpetual alms to the abbot and canons of Inchaffray the church of Holy Trinity, Gask. To be held of him and his heirs in tithes, oblations, and obventions of all kinds, with the land pertaining to the church, and with the common pasture of the parish, and all other easements pertaining to the church, as freely and fully as any religious in the whole realm of Scotland hold any church. Witnesses . . . [1221-3.]

XLVI

[Grant of land by Ysenda, countess of Strathern.]

Ysenda, spouse of earl Gilbert of Strathern, makes known to all

XLVII

[Robert, son of Earl Gilbert, pledges his faith never to harass the abbot and convent, but to defend and support them.]

Robert, son of Gilbert, earl of Strathern, makes known to the sons of holy Mother Church that he had pledged his faith within the church of Strogeith, in the hand of Abraham, bishop of Dunblane, before witnesses (named), that he would never in the whole of his life unjustly harass Innocent, abbot of Inchaffray, or the convent, but rather treat them as his most special friends and, saving his own rights and honour, would, as far as he could, increase the house [*i.e.* add to its revenues]. He confirms to them the churches of Gask and Strogeith, and all their churches, lands, possessions, liberties, rights, customs, easements, and tithes, as in the charters of his father and himself was contained. Warrandice. Moreover if they suffer from robbery, theft, or injury, he will, as patron of the house, prosecute their rights as he would his own; he will maintain their cause, compel those who have injured them to make satisfaction, and will make no peace with them without the counsel of the abbot and convent, and after fully securing their rights and their honour. Sealed with the seals of the grantor, Abraham, bishop of Dunblane, Hugh, bishop of Dunkeld, Hugh, abbot of St. Serf (Culross), and Fergus, the earl's brother. [1221-3.]

XLVIII

[A second charter of Hugh, bishop of Dunkeld, confirming the grant of the church of Madderty.]

This charter runs almost word for word with No. XXXVII., which was a grant to 'the canons' while this is to 'the abbot and canons.' The reference at the close of No. XXXVII. to the presbyters instituted to Madderty being answerable to the monastery in temporals is omitted from the present charter. To this charter the seal of the chapter of Dunkeld (in sign of assent) is added to that of the bishop. The witnesses (with one exception) are the same in both charters. [1221-3.]

XLIX

[Confirmation by Hugh, bishop of Dunkeld, of the Abthen of Madderty.]

This confirmation runs very nearly in language, and precisely, in effect, with the confirmation of Bishop Richard II. (No. XXIII.), and need not be further described. [1221-3.]

L

[Bishop Hugh's quitclaim of cain and coneveth.]

Hugh, bishop of Dunkeld, makes known that out of love and godly piety he has remitted and quitclaimed for ever to the abbot and canons of Inchaffray the cain and coneveth which the clerks of the church of Dunkeld were wont to receive at Madderty, which, in the Scots tongue, is called Abthen. His seal. Witness the chapter of Dunkeld. [*c.* 1221.]

LI

[Earl Robert's confirmation of churches, lands, tithes, and other things.]

Robert, earl of Strathern, makes known that he has for him and his heirs granted and confirmed to the canons of Inchaffray, and their successors, all the churches, lands, possessions, liberties, rights, customs, and easements, tithes of all kinds in his house and in his lands, and all other things which his father, the earl, gave and granted and confirmed by his charters. Moreover he grants

imposes a common aid on the whole realm. The earl will be responsible for the forinsec service of the king due from the land. Witnesses . . . [1223-4.]

LIII

[King Alexander II. takes the abbey under his protection, and grants the right to pursue and capture runaway neyfs.]

Alexander, king of Scots, makes known that he has taken under his peace and protection the house, abbot, and canons of Inchaffray, their men, lands, and all their possessions. No one should presume to injure or molest them under pain of the king's full forfeiture. He grants to the abbots and canons right to possess themselves of their neyfs and fugitive men, wherever they can find them, outside the royal demesne lands, and forbids any from unjustly detaining them under pain of full forfeiture. Witnesses . . . At Stirling, June 8, 1225.

LIV

[King Alexander II. grants and confirms the tithe of his rents in Auchterarder.]

Alexander, king of Scots, makes known that he has given and confirmed to Inchaffray the whole tithe of his rents from Auchterarder. To be held in pure and perpetual alms, and to be received at the hands of his tenants and his bailies of Auchterarder. Witnesses . . . At Clonin, August 13, 1226.

LV

[Earl Robert's confirmation of grants of land.]

Robert, earl of Strathern, makes known that he has confirmed to the abbot and canons of Inchaffray the six acres of land which Nigel de Lutoft gave them in the territory of Dolpatrick, and the toft and three acres of land which Henry, son of Tristram, gave them in his vill of Kyntochir, with common pasture for five kine and one horse, and with all other common easements of the same vill, which things aforesaid the said Nigel and Henry, when making their last testament, bequeathed, for the redemption of their souls, to the abbot and convent in perpetual alms, free of all service. Witnesses . . . [1226-34.]

LVI

[Grant of land by Theobald, son of William.]

Theobald, son of William, son of Clement, makes known that he has given to the abbot and convent of Inchaffray a toft of six perches square, with two acres of land in his vill of Petlandi, to wit, in the ground which is called Fithleres Flat, and with common pasture for eight kine, sixty sheep, and two horses, and with all other common easements of the said vill. He and his heirs will give warrandice for these alms, and will make them free of all burden and secular service. Grantor's seal and 'the seal of my most serene lord, Robert, earl of Strathern,' in token of his assent. Witnesses . . . [1226-34.]

LVII

[Grant of lands by Robert of Meggefen.]

Robert of Meggefen makes known that, with the assent of Soliua, his wife, and of their children, he has given to the abbot and convent of Inchaffray in pure and perpetual alms two tofts and four acres of land in the vill of Kenandheni, which by another name is called Dolpatrick, to wit, the toft in which Alan of Kyntocher dwelt when the present charter was given, with the acre which pertained to the same toft at that time, and with the buildings which were then on the toft; and also the toft and land which then lay between the house of Richard and the house of

LIX

[Confirmation by Gilbert, bishop of Dunblane, of the church of Madderty, and the Abthen of Madderty, and the quit-claim of cain and coneveth.]

'G[ilbert], humble minister of the church of Dunblane,' makes known that he has confirmed to the abbot and convent of Inchaffray the church of Madderty, with all its just pertinents, and the land called the Abthen of Madderty, to be held by them for their own uses, as in the charters of his venerable predecessors, John, Richard, John, and Hugh, is more fully contained. He also ratifies the quitclaim of cain and coneveth made by Bishop Hugh and the chapter of Dunkeld. His seal. Witnesses . . . [1230-36.]

LX

[Agreement between the abbot and convent of Inchaffray, of the one part, and the bishop of Dunblane, of the other part.]

(*Translation*)

To all the sons of holy Mother Church who shall see or hear the present writ, G[ilbert], by the grace of God, bishop of Dunkeld, and J[ohn] and P[hilip], by the same grace, humble abbots of Lindores and Scone, greeting eternal in Christ.

Inasmuch as a contention was raised between a venerable father, Sir Clement bishop of Dunblane, of the one part, and Sir Innocent, abbot, and the convent of Inchaffray, of the other part, concerning the churches of Aberuthven and Thullieden, and concerning the tithes coming from rents and all manner of perquisites of the earl of Strathern, which are called second tithes, all which the said bishop claimed, saying that they pertained to his table by reason of his church, at length, on the advice of good men, the said bishop, for himself and his successors (with the consent and assent of the whole clergy of Dunblane, to whom the election of the bishop pertains, also with the assent of Robert, earl of Strathern, patron of the same see), and the said abbot and convent, for themselves and their successors, agreed to submit to our arbitration on the aforesaid articles, as also on all other churches and possessions at that time granted and conferred on them, with the addition of

the following penalty, namely, that if the same bishop or any of his successors desired to resile from our decision, in the first place, if any advantage should come to his church through our decision, he should restore it to the opposite party, and also pay to the fabric of the bridge of Perth two hundred pounds sterling by way of penalty before entering on litigation. And if the abbot and convent or their successors should wish to resile from our decision, they shall pay to the same bridge, by way of penalty, before entering on litigation three hundred pounds.

The parties, accordingly, having appeared in our presence, and the pleadings of each party having been heard and carefully considered, at length, on the advice of those learned in the law, we made the following ordinance. The said bishop was to abandon the whole action which he was raising, and renounce all right which he sought, or believed that he had, in respect to the matters aforesaid; and the said abbot and convent was to assign to the said bishop and his successors, in the name of the church of Dunblane, an annual payment of sixteen pounds sterling, as estimated by the judgment of good men, and as derivable from certain places.

The parties accepting this our award, to the end that it might obtain the strength of perpetual validity, asked that it might be reduced to writing in the manner of an indenture (*modo cyrographi*), of which one part sealed with our seals, together with the seal of the said bishop, should remain at the aforesaid monastery of Inchaffray; and the other part sealed similarly with our seals and the seal of the chapter of the same monastery, should remain with the said bishop.

of Tulibarden and Kincardin and out of the fifth part of the tithes of Barderel; the six pounds which they had not yet assigned, the bishop out of compassion for the poverty of the house of Inchaffray remits for himself and his successors, until the abbot and convent have been put into full and corporal possession of any one of the following churches, Strugeith, Fowlis, Trinity Gask, Monivaird, and Dunning. Given in August, MCCXXXIV. Witnesses . . .

LXII

[Confirmation by Pope Gregory IX.]

Gregory [IX.] to . . bishop of Dunblane. In reply to a request of the bishop, the Pope confirms the amicable composition between him and the clerks of Dunblane, of the one part, and the abbot and convent of Inchaffray, of the other part. Viterbo, 30 April, 1237.

LXIII

[Quitclaim and grant by Duncan of Melginch.]

Duncan of Melginch states that having been summoned by the abbot and convent of Inchaffray on the authority of the abbot of Arbroath and the prior of May, judges delegate appointed by the Pope, on the ground that, founding on a charter of Duncan's father, the abbot and convent laid claim to half of the whole land of Drumkroc in the parish of Melginch, so soon as the facts were known to him, having the fear of God before his eyes, and desirous to save the abbot and convent further labour and expense, he spontaneously and fully quitclaimed the said land, and gave in pure and perpetual alms any right he might have in the same land, for the redemption of the souls of himself, his wife, his children, his father and his ancestors. Sealed with his seal, and with the seal of Philip, abbot of Scone. At Scone, Feast of St. Michael [29 Sept.], MCCXXXVII. Witnesses . . .

LXIV

[Agreement between Abbey of Inchaffray and the Hospital of Brackley.]

INDENTURE (*Cyrographum*).

A dispute having arisen between the abbot and convent of Inchaffray, of the one part, and the master and brethren of the

Hospital of SS. James and John of Brackley [in Northamptonshire], of the other part, concerning the tithes and all other things which the abbey claimed from the land called Petneweue as belonging to the church of Trinity Gask (*Gaskristi*), and which the hospital possessed in right of their church of Nesgask, it was at length agreed that the abbey should quitclaim to the hospital all rights in everything which the church of Nesgask possessed at the date of the agreement. And the hospital, for the good of peace, bound itself to pay yearly for ever to the abbey, at Nesgask, one mark sterling at Martinmas from the tithes of Petneweue. And that the agreement might be inviolably observed, it was resolved by both parties that if either party attempted to resile from the agreement that party should pay to the opposite party twenty marks sterling as a penalty. And, for greater security, both parties submitted themselves to the jurisdiction of the bishop of Dunblane, who should have full power to compel by ecclesiastical censure the party resiling to pay the said penalty, and also to observe the above agreement. One part of this indenture, sealed with the common seal of the brethren of Brackley, was to be kept at the abbey, and the other part, with the common seal of the abbey, at the hospital. Witnesses . . .
A.D. MCCXXXVIII.

LXV

[Geoffrey, bishop of Dunkeld, confirms the grants of his predecessors.]

Geoffrey, bishop of Dunkeld, makes known that he had

predecessors. He grants the abbot and canons and their successors the right to convert the temporal goods of the church of Madderty to their own uses, causing the church to be served, if they so desired, by a chaplain, or by a canon of their community. He reserves his episcopal dues from the church. The bishop's seal. Given at Dunkeld, 31 December, in the year MCCXXXVIII. Witnesses . . .

LXVI

[The dean and chapter of Dunkeld quitclaim the cain and coneveth from the Abthen of Madderty.]

Adam de Prebenda, dean, and the chapter of Dunkeld make known that they have inspected the instruments of the bishops of Dunkeld [as in No. LXV.] and of the then bishop, Geoffrey, and recite the terms of No. LXV. 'We also quitclaim and remit for ever to the abbot and convent of the aforesaid monastery [of Inchaffray] the cain and coneveth, which the clerks of Dunkeld were accustomed to receive in the olden time from the aforesaid Abthen, and all right and claim which could pertain from the same to us or our successors, receiving them [the abbot and canons] into perpetual brotherhood and participation in the spiritual benefits of our church:—saving to us and our successors one pound of incense to be paid yearly at Whitsunday, as a free gift in the name of brotherhood.' The common seal of the chapter of the cathedral. 'Witness the chapter.' At Dunkeld, January 2, 1238-9.

LXVII

[Confirmation by the chapter of Dunblane of churches in the diocese belonging to Inchaffray.]

The dean and chapter of the church of Dunblane make known that having inspected the instruments of collation and confirmation by Jonathan and Abraham, formerly bishops of Dunblane, and by Clement, the present bishop, of the churches in the diocese of Dunblane possessed by the monastery of Inchaffray, and formerly granted with consent of the clergy of Dunblane, by which the monastery obtained all the revenues and fruits of the churches of Strugeith, Auchterarder, Kinkell, Abruthven, Dun-

ning, Trinity Gask, Fowlis, Monivaird, Tulieden, and Kilbride, to be converted in perpetuity to the uses of the said monastery, saving the vicars' portions and the estimate of the value of the vicarages to be noted below, and saving the sixteen pounds, granted by the abbot and convent to Bishop Clement and his successors, from the garbal tithes of Tulibardin, Kyncardin, Barderel and Ogeluin (arising out of the dispute between the bishop and the monastery): also saving the garbal tithes of Rossyn and Strathyn, of Strugeth and Arneluoy, of Panan and Ruuehalache, valued at twenty marks by the judgment of good men, assigned to the archdeaconry of Dunblane about to be constructed: saving also the garbal tithes of Auchtermaffiny and of the vill of Fedale pertaining to the church of Auchterarder, which have been assigned by the abbot and convent for the construction of a prebend in the church of Dunblane; they [the dean and chapter of Dunblane] with unanimous and solemn consent confirm the grants and confirmations of the bishops aforesaid. Moreover, they ratify and confirm with unanimous consent the taxation of the vicarages [allowances fixed for the vicars] of the said churches, as settled, with the consent of each party, by the bishops of Glasgow and Dunkeld, as well as by Bishop Clement, as was more fully contained in the original writ of the said taxation. Sealed, with subscription given at Dunblane on the Sunday next before the Purification of the Blessed Virgin [2 Feb.] in the year MCCXXXIX. Subscribed by the dean, the precentor, and the archdeacon.

LXVIII

LXIX

[Grant of land in the town of Perth by Richard of Leicester, a burgess.]

Richard of Leicester, burgess of Perth, for the weal of the souls of himself and his ancestors, gives to Inchaffray, in pure and perpetual alms, certain land in the town of Perth [described], which land William, son of Hawok, held of him and his attorneys, to be held as freely as any burgage in the town of Perth, saving the agreement made by William to pay Richard and his attorneys yearly sixteen shillings, and saving the king's service. The grantor's seal and the common seal of Perth. Witnesses. . . . At Perth, Saturday before the Feast of St. Nicholas [6 Dec.], in the year MCCXL.

LXX

[Quitclaim by William son of Hawok.]

William, son of Hawok of Perth, quitclaims, for himself and his heirs, to the canons of Inchaffray, for a certain sum of money which they gave him beforehand in his great necessity, his whole right in the land which he held for a certain annual rent of Richard of Leicester, formerly burgess of Perth, and afterwards of the canons themselves, situated in North Street, in the town of Perth. To be held free of all burden and claim, save the service due to the king from the said land. He grants warrandice against all. His seal. Witnesses . . . [*c.* 1245.]

LXXI

[Another charter of William, son of Hawok.]

William, son of Hawok, for a certain sum of money given him by the canons of Inchaffray in his great necessity, grants the whole of the land which he held of the abbot and convent of Scone, situated in North Street in the town of Perth, and all rights which he or his heirs could have in it. To be held by the canons of Inchaffray and their successors on payment to the abbot and convent of Scone of the yearly rent which he had been accustomed to pay, namely, five shillings, half at Whitsunday and half at Martinmas—saving the service of the king. Grantor's seal. Witnesses . . . [*c.* 1245.]

LXXII

[Confirmation of William son of Hawok's sale by the convent of Scone.]

Robert, abbot of Scone, and the convent of the same place, by the common consent of their chapter, ratify and confirm the sale made by William, son of Hawok, on the payment by Inchaffray to Scone of five shillings yearly [as in No. LXXI.]:—saving the forinsec service of the king. Warrandice. Common seal of Scone. The chapter being witness. [*c.* 1245.]

LXXIII

[Grant of the church of Kilmorich in the diocese of Argyll.]

Gillecrist, son of Malcolm Macnacthan, for the weal of the souls of himself, his wife Bethoc, his parents, ancestors, and heirs, gives to Inchaffray, after the death of Maurice, clerk, in pure and perpetual alms the church of St. Mordac, of Kellemurthe [Kilmorich at the head of Loch Fyne], with all its just pertinents, to be held of him and his heirs as freely as any baron of the whole realm of Scotland can give any church. Seal of grantor. Witnesses . . . [*c.* 1246.]

LXXIV

[Another charter to the same effect as No. LXXIII.]

Gillecrist [as in No. LXXIII., omitting the words, 'after the death of Maurice, clerk.' After mention of the grantor's seal there follows:] 'together with the seal of the venerable father

in summer, he obliges himself and his heirs for ever. Seals of grantor, Bishop Clement, and Malise earl of Strathern. Witnesses . . . [*c.* 1247.]

LXXVI

[Earl Malise commutes second tithes in kind into a payment in money.]

M[alise], earl of Strathern, makes known that he and his heirs were bound by the gift of his grandfather, Gilbert, and the confirmation of his father, Robert, earls of Strathern, to the payment to the canons of Inchaffray of the tithe of all his rents and cains in wheat, meal, malt, grain, cheese, flesh, fish, fowl, venison, and all viands yearly used in his court, as in the charter and the confirmation of the aforesaid earls is more fully contained. And although the canons were for a long period in full and peaceable possession of the aforesaid tithes, yet they have very frequently complained that at times they have not received them in full through the fault of his (the earl's) bailies, wherefore because it is not right in any way to infringe the pious vows of parents, but rather to augment them, being mindful of Him who is the rewarder of all good deeds, he assigns, in place of the tithes which the canons were accustomed to receive in his court yearly before the year of our Lord 1247, twenty-four marks (twenty marks from rents at Dunning, and four marks from Abberufuin) during the life of his mother the countess: which marks, after her decease, he or his heirs would pay in another place, half at Whitsunday and half at Martinmas. All the other provisions of both his grandfather's charters and his father's confirmation were to remain in full force. He desires the canons' portion of tithes should increase as his goods increased. To prevent the canons in future being troubled by defect of payment he submits himself and all his goods to the jurisdiction of the bishop of Dunblane, so that he can compel him and his bailies, by the censure of the Church, to make full payment. His seal and the seal of Clement bishop of Dunblane. Witnesses . . . [1247.]

LXXVII

[Earl Malise enjoins on Brice, thane of Dunin, to pay the twenty marks referred to in No. LXXVI.]

Malise, earl of Strathern, to his beloved and faithful Brice,

thane of Dunning. He makes known that he has assigned to Inchaffray twenty marks out of his rent at Dunning, and commands him to make payment to none of the earl's bailies, or to any other, save the abbot and canons, or their assignees. He adds that if Brice failed in the payment within eight days after each of the two terms, he would incur a penalty of twenty shillings for every week after the eighth day. His seal. [1247.]

LXXVIII

[Commission of Pope Innocent IV. for recovering the property of the monastery.]

Innocent . . . to his reverend brother . . bishop of Brechin. He had been petitioned by the abbot and convent of the monastery of Inchaffray to remedy the vast injury done to the monastery from the fact that they and their predecessors had granted, with various formalities, certain possessions to certain clerks and laymen, to some for life, to others in perpetuity, for a yearly payment. He commits to the bishop to recover for the monastery in a lawful manner what had been alienated,—letters of confirmation in the common form from the Apostolic See notwithstanding. Lyons, 11 July 1248.

LXXIX

LXXX

[Pope Innocent IV. confirms an ordinance made by the bishops of Glasgow and Dunkeld.]

Innocent . . . to the abbot and convent of Inchaffray. It had been stated to the Pope on the part of Inchaffray that the bishop of Dunblane obtained that there should be assigned to him a fourth part of the tithes of all the parish churches in the diocese of Dunblane. This had been done by the bishops of Glasgow and Dunkeld, acting under Letters Apostolic. And when the bishop of Dunblane prayed in the presence of the said two bishops that according to the tenor of the apostolic mandate a fourth of these tithes should be assigned to him [in fact], the abbot and convent objected; but at length both parties voluntarily submitted themselves, under oath, to what should be determined by the two bishops, both as to the fourth of the tithes of churches pertaining to the abbey, and also as to the assessment of the vicarages of certain of those churches, and the ordering of certain other churches, too poor [to be deprived of the fourth] and easy to be served [without vicars]. The decision of the bishops of Glasgow and Dunkeld was that Inchaffray should every year pay twenty marks for one dignity and ten marks for one prebend, to be erected anew in the cathedral church of Dunblane; and that in return the abbey should be freed from the payment of the fourth part of the tithes of all its churches. But because by this ordinance the abbey seemed to be overburdened in the payment of such money, the two bishops made a moderate assessment of the vicarages of certain churches, and ordained that certain other churches should be served, not by vicars, but by suitable chaplains, as in their writs on this subject was more fully contained. The Pope confirms by apostolic authority the ordinance of the bishops of Glasgow and Dunkeld. Lyons, 23 April 1250.

LXXXI

[Concurrent Letter of Innocent IV. to the abbot of Scone and the prior of St. Andrews.]

Innocent . . . to the abbot of Scone and the prior of St. Andrews. [The narrative of No. LXXX. is recited in full.] Wherefore he commands the abbot of Scone and the prior of St. Andrews that

they should not permit the abbot and convent of Inchaffray to be unduly molested by any, contrary to the tenor of his confirmation [No. LXXX]. Lyons, 23 April 1250.

LXXXII

[Another commission of Pope Innocent IV. for recovering the property of the monastery.]

Innocent . . . to . . abbot of Holywood in the diocese of Glasgow, and to . . sacrist in Glasgow. [This is to the same purport as, but in somewhat stronger terms than, No. LXXVIII.] Perugia, 8 June 1252.

LXXXIII

[Grant of Lands in the town of Arbroath.]

William, abbot of Arbroath, and the convent of the same place make known that, with the common consent and assent of the whole chapter, they have given to the abbot and convent of Inchaffray all the lands, houses, and possessions, which William, son of Rayngod, held of the monastery of Arbroath in the town of Arbroath, which lands and all rights in them the said William, in the full court of Arbroath, quitclaimed for himself and his heirs. To be held by the abbot and convent of Inchaffray in free burgage, with easements, etc., pertaining to the lands,—save only that the lands should not be sold or alienated to any without the special licence of the monastery of Arbroath. Seals of the abbey

LXXXV

[Grant of the church of Inishail.]

Ath, son of Malcolm Macnauchtan, makes known that out of charity, with the assent of Sir Gilbert, knight, his brother, and for the weal of their souls and the souls of their ancestors and heirs, he has given to the abbot and canons of Inchaffray the church of S[t] Findoca, of Inchalt [Inishail, Loch Awe], in the diocese of Argyll, with all its just pertinents, with tithes, oblations, common pasture, and other easements pertaining to the church, together with all the rights he has in the same church. To be held in free and perpetual alms, as freely as any church in Scotland is held by the gift of any nobleman. Seals of grantor and his brother G[ilbert]. 29 June 1257.

LXXXVI

[Grant of the advowson of the church of Cortachy.]

Malise, earl of Strathern, makes known that, for the weal of his soul, etc., he has given to the abbot and convent of Inchaffray the advowson of the church of Cortachy in the diocese of Brechin. To be had and possessed in pure and perpetual alms, to wit, whatever a lay person can give and grant, without any diminution or reservation, as freely as any church in the realm of Scotland is held by the gift of an earl or baron. He binds himself and his heirs by his spouse Matilda, daughter of Gilbert, late earl of Caithness and Orkney, that they will ratify and defend the said gift. Grantor's seal. Witnesses . . . At Crieff, 12 December 1257.

LXXXVII

[Grant of a serf with his children.]

Malise, earl of Strathern, makes known that he has given to the canons of Inchaffray in pure and perpetual alms, Gilmory Gilendes, his serf, with all his children (*tota sequela*). Warrandice. Seal of grantor. Witnesses . . . At Kenmore, 25 March 1258.

LXXXVIII

[Grant of another serf with his children.]

Malise, earl of Strathern, makes known that he has given to the abbot and convent of Inchaffray, in pure and perpetual alms,

John called Starnes, son of Thomas, son of Thor, with all his children (*tota sequela*); and granted to Inchaffray all right and claim which he had in the said John or his offspring. He forbids any of his men molesting John or any of his offspring. Seal of grantor. 9 May 1258. Witnesses . . .

LXXXIX

[Confirmation by Pope Urban IV. of an agreement between Inchaffray and the Hospital at Brackley in Northamptonshire.]

Urban . . . to . . abbot and the convent of the monastery of Inchaffray. A petition from the abbot and convent contained that formerly a question had arisen between them, of the one part, and the master and brethren of the Hospital of SS. James and John of Brackley, in the diocese of Lincoln, of the other part, as to certain tithes and other matters; and that at length through the intervention of . . late bishop of Dunblane, in whose diocese the tithes lay, and the bishop of St. Andrews, a friendly agreement between the parties was come to, as is said to be more fully contained in letters thereupon composed, which agreement the abbot and convent petitioned should be fortified by apostolic protection. As the agreement was duly made without pravity, and was accepted by both parties, the Pope confirms it. Viterbo, 12 September 1262.

XC

the church of Madderty in all its temporal goods might be converted to the use of the abbey by causing the church to be served by a fit chaplain, or, if they preferred it, by one of their own canons. Seal. At Tybermore, 2 August 1263, in the twelfth year of his pontificate. Witnesses. . . .

XCI

[Indenture between the abbey of Inchaffray and Tristram of Gortyn as to certain lands.]

Alan, abbot, and the convent of Inchaffray make known that a dispute had arisen between Tristram of Gortyn, of the one part, and them, of the other part, as to (1) the lands of Cambinche, which was submitted to the arbitration of men skilled in the law, whose award was that these lands lay in common between us; and (2) as to other lands possessed by the abbey and claimed by Tristram and his heirs, more particularly the lands of the infirmary and chapel of the abbey, and the circumjacent land, as it was trenched round about. At length litigation was settled by the following agreement. Tristram quitclaimed any right which he had in the lands—saving the right of the earl of Strathern, and renounced for himself and his heirs seeking opposition in any lay or ecclesiastical court as to the abbey's peaceable possession of the lands in frankalmoign. The convent on its part granted to Tristram, his spouse Christina, and to his heirs (if they sought it) the brotherhood of the monastery in prayers, alms, martyrology, and the other good things generally granted to fellow-brothers (*confratribus*). They further grant to Tristram, so far as lay in their power, to have a chapel (the rights of the mother-church being saved). To the observance of this agreement both parties gave their corporal oath. The part of the indenture to be kept by the abbey had the seal of Tristram and Malise, earl of Strathern: the part to be kept by Tristram and his heirs had the seals of the abbey and Robert, bishop of Dunblane. At Inchaffray, 14 February 1266.

XCII

[Charter on the same subject by Tristram of Gortyn.]

Tristram of Gortyn makes known [after reciting the subject of dispute and the settlement as to Cambinch as in No. XCI.] that on

St. Valentine's day [14 Feb.] 1265 [*sic*] it was agreed at Inchaffray as follows:—Tristram faithfully promised for himself and his heirs that he would hold the abbot and convent indemnified for all forefaults committed or to be committed in the court of the earl of Strathern on occasion of agreements or controversies about the said lands concerning which he had drawn them before a secular tribunal. He quitclaims, etc. [the rest as in No. XCI.] His seal and the seal of the earl.

XCIII

[Confirmation by Pope Clement IV. of the Church of Madderty.]

Clement . . . to the abbot and convent of Inchaffray. A petition from them had been presented, containing that John I., bishop of Dunkeld, granted to the canons of Inchaffray, with the consent of his chapter, the church of Madderty (of which they had the right of patronage) for their own uses; and that bishops Richard, John II., Hugh, Gilbert, Geoffrey, and the present bishop Richard, had, with the consent of the chapter, granted that the church might be served by one of the canons. He confirms this. Viterbo, 23 May 1266.

XCIV

[Commission of Pope Clement IV. to the archdeacon of Lothian for the recovery of the property of the abbey.]

Clement . . . to the archdeacon of Lothian [almost word for word as No. LXXXVII. The specified goods of the monastery are

his whole land of Nethergask for their men, animals, carts, waggons, and gives two acres of land next adjacent to the quarry on the west, where they may collect the stones, and build a house where they can cut them. The rest of the two acres they may dispose of as they will. Seal of grantor. At Crieff, 12 November 1266.

XCVI

[Six marks and four marks charged by Earl Malise on the rent of Abercairney for payment to the abbot and convent of Inchaffray.]

Malise, earl of Strathern, makes known that the abbot and convent of Inchaffray had been entitled to receive six marks sterling, in the name of the earl's second tithes, from the rent of the land of Ballenoleth in the shire of Fowlis, and at his earnest request they had patiently borne with the earl's conferring the land of Ballenoleth on his brother Sir G[ilbert], and so the earl remains bound to them in the said six marks, which for the future the religious shall receive from the rent of Abbircarnych at the hands of whoever held that land of the earl, to be paid half at Whitsunday and half at Martinmas. Moreover, since he was indebted to the said religious (1) in thirty-six pounds sterling, which he took from brother Hugh, then *terrarius* of the monastery, from the money which the late Roger de Colin, clerk, while living, gave to the fabric of the church of the monastery—and also (2) in ten pounds sterling which he received from the religious on loan (for which he had given letters obligatory), and likewise (3) in twenty-four marks sterling, being the sum of four times the six marks from the land of Ballenoleth, which had not been paid for four years, he grants for himself, his heirs and assignees the payment of four marks sterling yearly from the land of Abbircarnych till the whole debt is paid: the first payment to be at Whitsunday, 1218 [?1268]. His seal. At Crieff, St. Ambrose's day [4 April] in the above year. Witnesses . . . Grants warrandice for the six marks.

XCVII

[Endowment of a chaplaincy at Inchaffray by Earl Malise.]

Earl Malise makes known that he has given to God, St. Mary, and a chaplain celebrating divine service in the almshouse of

Inchaffray for the souls of his ancestors and of all the faithful departed, and for the soul of Brice of Ardrossan (for his quitclaim to him and his heirs of the lands of Buthaldy and of Lanyrky, which Brice quitclaimed to the earl and his heirs after Brice's day) four marks from the rent of the land called Mukrand, to be received yearly for ever of him and his heirs at the hand of the tenant of the land, for the support of the said chaplain, whoever he may be. Moreover, he gives for ever to the chaplain, and his successors, for finding a chalice, etc., the portion of land called Tolauch, which the said Brice of Ardrossan held in the town of Dunblane. He also gives power to the abbot of Inchaffray, when any chaplain dies, to appoint at the peril of his soul another fit chaplain, without any opposition of the earl or his heirs. For the fulfilment of the grant he subjects himself and his heirs to the interdict of the bishop of Dunblane, for the time being, renouncing every appeal and remede of law, canon and civil. Grantor's seal. Witnesses . . . [*c.* 1270.]

XCVIII

[Grant by Brice of Ardrossan of one mark to the chaplain celebrating in the almshouse.]

Brice of Ardrossan makes known that he holds as firm and stable (so far as pertained to him) the grant by Malise, late earl of Strathern, of four marks to the chaplain [as in No. XCVII.]. And because the said earl had first given, as in his charter, the land of Tulach to the chaplain and his successors for finding a

ecclesiastical censure. Grantor's seal. Witnesses . . . At Inchaffray, St. Clement's Day [23 Nov.], 1271.

XCIX

[Grant by Brice of Ardrossan of sixteen acres.]

Brice of Ardrossan makes known that, for the weal of his soul and for the soul of Malise, late earl of Strathern, he has given to the abbot and convent of Inchaffray and their successors the sixteen acres of land situated near the bridge of the abbey on the east in the field (*campo*) called Langflathe, with their pertinents and easements, which sixteen acres his lord Malise aforesaid had given him in exchange for the land of Cullath, which land of Cullath the earl, with Brice's consent, assigned to the church of Dunblane for ever. To be held in pure and perpetual alms, quit of all secular exaction. Brice's seal. Witnesses . . . [1271.]

C

[Another grant by Brice of Ardrossan.]

Brice of Ardrossan makes known that, for the weal of his soul and of the souls of his ancestors, he has granted and assigned to the abbot and convent of Inchaffray that portion of land in the territory of Petlandy which he holds at fee-farm of Luke, son of Theobald. To be held in pure and perpetual alms as freely as he held it. *Reddendo,* one mark yearly (half at each of the usual terms) to the chaplain celebrating divine service in the almshouse of Inchaffray for procuring or finding a chalice and the *ornamenta* necessary for divine worship. If it should happen by any chance that the abbot and convent be evicted from the land he wills that they should be free from giving the mark, and Brice and his heirs should give the mark to the chaplain, and should be compelled thereto by ecclesiastical censure. To Luke aforesaid and his heirs six pence was to be paid at Whitsunday and six pence at Martinmas; and three pence for the king's aid or hosting, as often as the king demanded a common aid or common hosting from the whole realm. Brice's seal. Witnesses . . . At Inchaffray, 23 November 1271.

CI

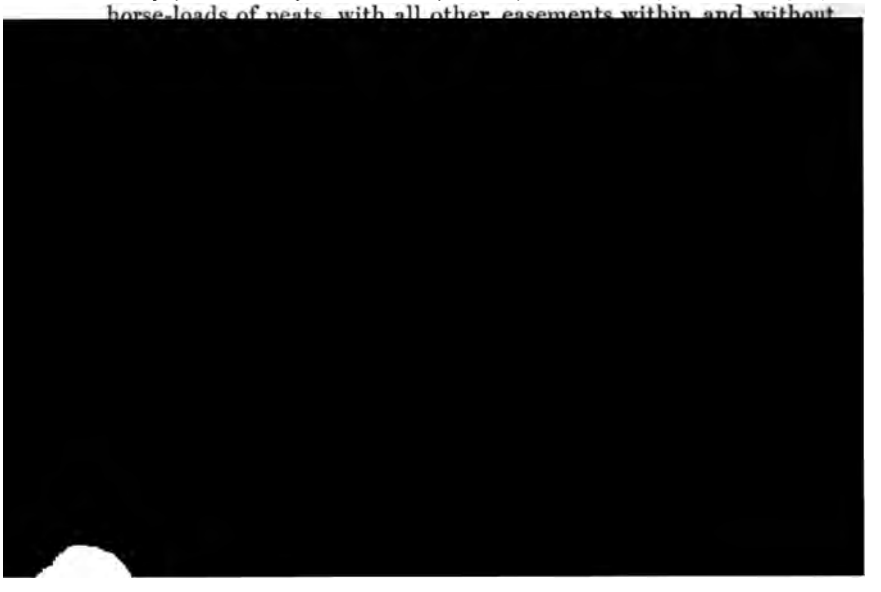
[Letter Testimonial by Brice of Ardrossan that he has given sasine of his land in Petlandy.]

Brice of Ardrossan makes known that he has of his free will delivered to the abbot and convent of Inchaffray full sasine of the whole land which he held at fee-farm in Petlandy, and had sent his servants, Michael and Martin, to put the abbot, or his proctors, into full sasine of the said land; saving to the lord of the feu what in the charter between Brice and him is more fully contained. Brice's seal, and seal of Robert, bishop of Dunblane. At Inchaffray, St. Andrew's day [30 Nov.], 1271.

CII

[Grant of land by Malise, son of Earl Gilbert.]

Malise, son of the late Earl Gilbert, knight, makes known that out of charity, and for the weal of his soul and the souls of his ancestors, and of his son Malise, and his heirs, he has given to the abbot and convent of Inchaffray in pure and perpetual alms that portion of land in his holding of Rossy, by those marches by which, in the presence of men worthy of credit, he perambulated it. [Here follows a description of the boundaries.] The portion of land contains three acres and more. To be held in pure and perpetual alms, with pasture for twelve kine, twenty sheep, and one horse, together with the easement of taking from the peat-moss every year twenty cart-loads (*karucas*) or, if they prefer it, eighty horse-loads of peats, with all other easements within and without



and the high way that goes towards Buchteny. [Here follows a description of the boundaries.] He also grants another portion. The whole grant contained four acres and a little more; he grants also the brewhouse of the whole land of Pethlandy, with common pasture for eight kine and two horses, and all other common easements within and without the vill of Pethlandy, in wood and plain, etc. The lands granted by him and his father, and by Brice of Ardrossan, granted with his (Luke's) consent, from the land of Dunyduf, form a continuous whole, without any reservation. Luke confirms his father's grant of a toft and two acres, together with the land of Dunyduf granted by Brice of Ardrossan. Grantor's seal. Witnesses . . . [*c.* 1272.]

CIV

[Commission of Pope Gregory x. for recovering the property of the abbey.]

Gregory . . . to the dean of Dunblane. [The bull runs almost word for word with the earlier bulls having the same object.] Lyons, 15 July 1274.

CV

[Grant by Luke, son of Theobald, of a toft and croft in Petlandy.]

Luke, son of Theobald of Petlandy, gives in pure and perpetual alms, for the weal of the souls of himself and his wife, etc., to the abbot and convent, a toft and croft in his holding of Petlandy, situated close before the door of his house. [The boundaries are described, and reference is made to the land of his son-in-law, Martin.] The land granted contained quarter of an acre. He also grants the brew-house of the whole land of Petlandy, with the rights of the brew-house, and all other rights and easements within and without the vill, free of any reservation, in wood and plain, moors and marshes, and the right to take peat and broom. Warrandice. Seal of grantor. Witnesses . . . [*c.* 1275.]

CVI

[Grant by Luke of the brewhouse of Petlandy.]

Luke, son of Theobald of Petlandy, gives, for the weal of the souls of himself, his wife, etc., to the abbot and convent, in pure

and perpetual alms, the brewhouse of the whole land of Petlandy, with all its liberties, rights, and easements. Warrandice. Seal of grantor. Witnesses . . . [*c.* 1275.]

CVII

[Bull of Pope Nicholas III. granting a faculty to use privileges which had been formerly granted by Popes, but which, through negligence, had not been used.]

Nicholas . . . to the abbot and convent of Inchaffray. It had been represented to him that they and their predecessors, through simplicity and ignorance of law, had not in the past made use of certain privileges and indulgences granted to the monastery by his predecessors, bishops of Rome. Moved by their supplications, and desirous to take precautions for the indemnity of the monastery, he grants to them a faculty, notwithstanding such negligence and omission in the past, to use the same privileges and indulgences, so far as the right had not been lawfully restricted by prescription or otherwise. Viterbo, 9 July 1278.

CVIII

[John Cumyn's grant of right of way by his wood and the bridge of the black ford.]

John Cumyne, son of the late Sir John Cumyne, makes known that, for the weal of the souls of himself, his wife, and his

penalty is to be limited to one penny for each act of trespass, without any greater exaction for his servants, unless the animals shall be found grazing by night or day in his pasture in charge of a shepherd. Warrandice. Seal of grantor. Given at Gasknes, Monday next before the feast of St. Mary Magdalene [22 July], 1278. Witnesses . . .

CIX

[John Cumyn's grant of a serf.]

John Cumyne, son of the late John Cumyne, quitclaims for ever, in pure and perpetual alms, to the abbot and canons of Inchaffray, Gillecrist Rothe, son of Gyllehtheny, with his issue, born or to be born, with all right which Cumyn had in him or his issue. Seal of grantor. Given at Gasknes, Monday next before the feast of St. Mary Magadalene [22 July], 1278. Witnesses . . .

CX

[Agreement between the Abbey and Walter, baker, of Perth.]

Walter, baker, of Perth, and his spouse, Hawys, daughter and heiress of the late Nicholas Pape, burgess of Perth, make known that there had been a dispute between them and the abbot and convent of Inchaffray as to a certain land which had belonged to the late Nicholas Pape [site described], in the full court of Perth, in presence of Robert, bishop of Dunblane, Sir William de Moravia, knight, the bailies of Perth, and many others. And in the said court for a long time Walter and Hawys harassed the said religious in respect to the right in the said land, which Walter and Hawys believed they had obtained by letters of the king.

At length a friendly agreement was come to: Walter and Hawys granted to the said religious all right which they had in the said land, in return for a sum of money which the said religious gave them beforehand in their great need, and which they acknowledge to have received in full. They renounce all resort to law, canon or civil, and other means to set aside the above agreement. Seal of William, seal of Hawys, and seals of the bishop of Dunblane, of Christian de Insula, sheriff of Perth, and of John Albot and John of Perth. Witnesses . . . [*c.* 1279.]

CXI

[Indentured Agreement between Andrew, abbot of Cupar, and Hugh, abbot of Inchaffray.]

A question having arisen between Andrew, abbot of Cupar, and the convent of the same place, of the one part, and Hugh, abbot of Inchaffray, and the convent of the same place, of the other part, as to a yearly payment of twelve pounds of wax, which the abbot of Cupar claimed out of certain houses and lands in the town of Perth, which Master W Dunstane and Michael of Inchaffray held at fee-farm of the monastery of Inchaffray, at length, although the monastery of Inchaffray possessed these houses and lands for thirty-nine years and more, free of any payment of wax, and the right of the abbot and convent of Cupar thereto was not sufficiently apparent, yet, by the intervention of common friends of the parties, a friendly agreement was made as follows :—The monastery of Cupar should not in future make any claim for the wax, and the monastery of Inchaffray, for the good of peace, were to pay yearly to the monastery of Cupar two pounds of cumin and two pounds of pepper within the octave of the Nativity of St. John the Baptist [24 June], at the chapel of the bridge of Perth. If the payment is not duly made, the abbot and convent of Cupar may, with the leave of the king's bailies at Perth, distrain both within and without the houses, and take poinds till the payment is made in full. For the observance of the agreement the two abbots oblige themselves by their corporal oaths, and both parties renounce resorting to law or to royal or apostolic letters or to any device that would impede the

which the church was dowered by him at its dedication. To be held as freely as the advowson of any church granted by any earl or baron in the realm of Scotland. Warrandice. Seal of grantor. Witnesses . . . [*c.* 1282-3.]

CXIII

[Indentured Agreement between Earl Malise and the Monastery, concerning twenty marks from Dunning and Petikarne, instead of the increment of second tithes.]

Inasmuch as the abbot and convent of Inchaffray craved with earnestness to be satisfied in full by Malise, earl of Strathern, out of all increases of his rents and cains, as well in money as in wheat, meal, malt, cheese, flesh, fish, issues of court, and all other goods and obventions, which had accrued or could accrue to the said earl from the year of our Lord 1247, which, under the name of second tithes, the aforesaid religious asserted were due to them by the gift and grant of earls of Strathern his predecessors, the said Earl Malise, after careful deliberation with discreet men, and relying on the counsel of friends, to prevent in future such demands from him and his heirs, gave, on the feast of the Annunciation [25 March] of the year 1283 then beginning, to the abbot and canons in pure and perpetual alms twenty marks of yearly rent from the thanage of Dunning and from Petikarne by the hands of the tenants, at the three yearly terms, namely, at Whitsunday three marks from Dunning and five from Petikarne; at the feast of St. Peter's Chains [1 Aug.] four marks from the thanage of Dunning, which were customarily given to the earl himself *pro fretellis*; and at Martinmas three marks from Dunning and five from Petikarne. To be held by the monastery of the earl and his heirs as freely as any, etc. Warrandice. And he will procure the grant being confirmed by the king's letters patent, and inrolled in the king's chapel.

In return for this grant the abbot and convent with unanimous consent quitclaimed and resigned all right and claim to the augmentations as above. The other articles and grants, all and singular, in the charters of the earl's predecessors, not concerning augmentations, were to remain in force. To the part of the indenture remaining with the earl were attached the common seal of the monastery and the seals of Robert, bishop of Dunblane, and the chapter of Dunblane, of Sir Patrick de Graham and Sir

William de Moravia, knights. To the other part remaining with the monastery the seals of the earl, together with the seals of the bishop, the chapter, and the aforesaid knights. Witnesses . . .

CXIV

[Charter of Earl Malise III., granting twenty marks yearly for the augmentation of second tithes.]

Malise (III.), earl of Strathern, makes known that for the monastery's resignation and quitclaim of their right to the augmentation of second tithes he has granted twenty marks yearly [as in No. CXIII]. These twenty marks were to be in addition to the twenty marks formerly granted by the earl's father, Malise (II.), from Dunning. [The substance of the concluding part of No. CXIII is then recited—specifying more particularly the other grants made by the earl's great-grandfather, Gilbert, and his father, Malise (II.) as those remaining in full force.] Grantor's seal. Witnesses . . . [1283.]

CXV

[Earl Malise III. assigns to whom the ten marks from Petkarne were to be paid.]

Malise (III.), earl of Strathern, assigns the abbot and convent as the persons to receive ten marks yearly from his holding of Petkarne, half at Whitsunday and half at Martinmas; and commands Macbeth, son of Ferchware, the tenant of the said holding, and his heirs or assignees, that they should pay the ten marks to none

shillings, to be received during her life by the said canons, at the two terms of the year, from her holding of Strathy, as is more fully contained in the charter dealing with that matter, and lest the grant might be impeached because Mary was at the time when it was made subject to her husband in law of matrimony, he declares by these presents his express consent. Seal of grantor. At Strathy, the vigil of the Holy Trinity, 1284.

CXVII

[Earl Malise III. declares that no prejudice to the immunities of the monastery should be created by a special act of favour.]

Malise (III.), earl of Strathern, makes known that, although 'the religious of our monastery of Inchaffray' rendered succour to him with their men for maintaining the peace and tranquillity of the kingdom after the death of Alexander (III.) king of Scots, he desires that, because of this act of courtesy, done as a special favour, no prejudice should be created as regards the obligations of the religious, nor their act be drawn into custom, inasmuch as by the infeffment granted by his ancestors, earls of Strathern, the religious were wholly free from exactions of this kind. Seal of grantor. At Inchaffray, the morrow of Whitsunday, 1287.

CXVIII

[Settlement of a dispute as to the patronage of the vicarage of Strugeith.]

Malise (III.), earl of Strathern, makes known that when the vicarage of Strugeith had become void through the death of Master Richard of Stirling, late vicar of the place *de jure et de facto*, W[illiam], bishop of Dunblane, believing that it belonged to him of right to confer the vicarage, had, at the request of the earl, conferred it *de facto* on John of Legirdwode, the earl's chaplain. Thereupon the religious of Inchaffray immediately raised the objection that by the bounty of former earls of Strathern, the grants of bishops of Dunblane, and the special confirmation of the chapter of Dunblane, they were the true patrons, and that the right of presenting to the vicarage belonged to them; and this they clearly showed in the presence of the bishop of Dunblane, the abbot of Cambuskenneth, the archdeacon of Dunblane, and

others [named] by exhibiting the public instruments, sealed, of the earls, the bishops, the chapter, confirmations from the Apostolic See, and also by the evidence of very many persons worthy of credit. The bishop of Dunblane, after conference with the earl and the clergy of the cathedral, decreed and publicly pronounced in favour of the claim of the monastery. And on the presentation of John of Legirdwode by the monastery, he admitted him to the said vicarage and caused him to be put in corporal possession of the same. [The bishop's letter to this effect, dated Arbroath, Sunday, the feast of St. Matthew (21 Sept.) 1287, is recorded in full.] And that all the above, as to the right of the said religious with respect to the vicarage, may be held in memory for ever, the seal of the earl and the seals of the above witnesses are appended. 'Given at Kenmor, Sunday [28 Sept.] next before the feast of St. Michael the Archangel [29 Sept.] A.D. 1287.'

CXIX

[Confirmation by the bishop of Glasgow of the grant of the church of Buthbren.]

Robert, 'humble minister of the church of Glasgow,' makes known that in compassion for the plunderings, burnings, and innumerable afflictions which the abbot and convent of Inchaffray had suffered through war, and desirous of relieving, so far as he could, their poverty and low estate, grants to them power to convert to their use, on the resignation or death of the rector, the church of Buthbren (Balfron) in his diocese, the patronage of which church Sir Thomas of Cromennane, knight, had charitably granted them. Every defect, if there were any, in Sir Thomas's

CXXI

[Grant by King Robert I. of the lands of Cardny and Dolcorachy.]

Robert, king of Scots, makes known that for the weal of the souls of himself, his ancestors and successors, kings of Scotland, he has given to the canons of Inchaffray his whole land of Cardnay and of Dolcorachy, in the thanage of Fortevyot, to be held by the same in frankalmoign, without any reservation, and with all its liberties and easements, in wood and plain . . . multures and mills, hawking, hunting, woods, and fisheries, as free from all secular service as any land given in alms by kings of Scotland is held in the whole realm. Grantor's seal. Witnesses . . . At Scotlandwell, 16 February 1313-4.

CXXII

[Commission of Pope John XXII. for recovering property of the monastery.]

John . . . to Duncan, precentor of the church of Dunkeld. [This bull runs in like form with that of No. CXX.] Given at Avignon, 16 January 1316-7.

CXXIII

[Grant by King Robert I. of the patronage of the church of Kyllyn, under the Privy Seal.]

Robert, king of Scots, makes known that he has given to the abbot and convent of Inchaffray, in pure and perpetual alms, the right of patronage of the church of Kyllyn, in Glendochyrthe, with all liberties, fruits, and pertinents of all kinds pertaining to the said church, on condition that the abbot and convent should find a canon to celebrate divine service in the church of Strathfulane. The king's Privy Seal. At Clackmannane, 26 February 1317-8.

CXXIV

[Grant of the same under the Great Seal.]

Robert, king of Scots, makes known that for the weal of his soul and of the souls of his ancestors and successors, kings of

Scotland, he has granted and by this charter confirmed to the abbot and convent of Inchaffray the right of patronage of the church of Kyllyn, in Glendorithe, with all its liberties, etc., in pure and perpetual alms, as freely, etc. Seal. Witnesses . . . At Berwick-on-Tweed, 12 April 1318.

CXXV

[Mandate of King Robert I. for the observance of No. CXXI.]

Robert, king of Scots, to his chamberlain of Scotland, or whoever holds his place, and to the sheriff of Perth and his officers for the time being. They are commanded to give effect to the grant [No. CXXI.] of the lands of Cardny and Dolchorachy, in which the abbot and convent were infeffed by him, as in the king's charter was contained, saving only that the abbot and convent should answer to him and his heirs out of the said lands, as the other religious of his kingdom infeffed in lands granted in alms. Given at Litwy, 27 July 1318.

CXXVI

[Confirmation by William, bishop of Dunkeld, of the grant of the church of Kyllyn.]

William, 'humble minister of the church of Dunkeld,' makes known that, with the unanimous consent and assent of his chapter, after full discussion, he has granted to the abbot of Inchaffray, and to the canons of the same who should serve at the direction of the

the bishop be instituted, and receive his cure. And the abbot and convent shall present to the bishop a canon or (if they prefer it) a secular chaplain for the vicarage of the church of Kyllyn, whose portion, for his own maintenance and the payment of the dues of the bishop and archdeacon, the bishop assesses at ten pounds. Seal of the bishop. Given at Dunkeld in our chapter, on Thursday next before the feast of the Apostles Symon and Jude [28 Oct.], 1318.

CXXVII

[Confirmation of CXXVI. by the chapter of Dunkeld.]

The dean and chapter of Dunkeld make known that they have seen and inspected the charter of the grant made by the bishop as follows [No. CXXVI.], which grant they ratify and confirm. And if by carelessness or ignorance anything was omitted in the said charter, they supply it by these presents. Common seal of the chapter. 'Given in our chapter, on Thursday next before the feast of the Apostles Symon and Jude [28 Oct.], 1318.'

CXXVIII

[Settlement of a dispute between Andrew de Moravia and the abbey.]

Andrew de Moravia, of Tulibardine, makes known that there had been a dispute for three years and more between him and the abbot and convent of Inchaffray, in reference to one mark of a yearly payment detained by him for the said time, which mark the religious asserted that they received at the two terms of Whitsunday and Martinmas, from the holding of Tulibardine, as tithe. At length at the order of Maurice, bishop of Dunblane, the truth of the matter was made evident, namely, that the said religious and their monastery were in peaceable possession beyond the memory of man of the reception of that mark, in accordance with charters of gift made by the ancestors of Andrew. Having the fear of God before his eyes, and unwilling to infringe the pious desires of his parents, he, of his own accord, resigns, for himself and his heirs, his whole claim to the said mark, and irrevocably confirms the grant. And if anything was lacking in the grants of his predecessors he does not refuse to supply it. And that his confirmation might have force, he subjects himself and

his heirs and all their possessions to the coercion and jurisdiction of the bishops and ordinaries of Dunblane, under penalty of one hundred shillings to be paid to the fabric of the church of Dunblane, if he fails in whole or in part in fulfilling his promise, or in any way opposes this confirmation. Warrandice. Grantor's seal, and the seals of Maurice, bishop of Dunblane, and Duncan, dean of Dunblane. Given, the feast of St. Bean [26 Oct.], 1329.

CXXIX

[Acknowledgment by Maurice de Moravia.]

Maurice de Moravia, lord of Drumsergarthe, makes known that the abbot and convent have freely assigned to him during his life their land of Balmacgillon, together with six marks a year out of the land of Abercarny, as a yearly pension, in return for counsel, labour, and aid rendered and to be rendered to them by him, as in their writ on the subject is contained. He therefore grants by these presents for himself, his heirs, or assignees, that out of this grant of the religious no prejudice should be created to their rights after his decease, but that the said land of Balmacgillon, with the six marks, should freely revert to the said religious, without any disturbance caused by his heirs or assignees. Grantor's seal; and seal of Maurice, bishop of Dunblane. Given at Inchaffray, Thursday, the feast of the Apostles Simon and Jude [28 Oct.], 1339.

CXXX

[Indenture between the abbey and Sir Maurice de Moravia.]

for the first five years one stone of wax paid to the religious every year at the feast of the Purification [2 Feb.], and for the other five years two stones of wax yearly at the same date; Maurice pledging himself to render to the religious in their affairs his counsel and aid, and to defend, protect, and maintain, to his utmost ability, the possessions, rights, and liberties of the monastery, as if they were his own. He was also to give the assistance of his bailies in compelling payment of the rents of the monastery. At the end of the ten years, and at the death of Maurice, should it happen before the end of the ten years, the said annual payment was to revert absolutely to the monastery, without any claim or opposition on the part of Maurice's heirs, executors, or assignees. To the observance of the premises both parties pledged themselves in good faith and pure conscience. To the part of the indenture remaining with Sir Maurice the common seal of the monastery was attached: to the other part the seal of Sir Maurice: and for greater evidence, to each part the seal of Maurice, bishop of Dunblane. Given at the feast of Matthias the Apostle [25 Feb.], 1343-4.

CXXXI

[Confirmation by Pope Clement VI. of King Robert's grant of the church of Kyllyn.]

Clement . . . to the abbot and convent of the monastery of Inchaffray. Their petition contained that Robert, king of Scotland, of illustrious memory, thinking of his own salvation, and desirous to exchange in wholesome commerce earthly things for heavenly, and things transitory for things eternal, gave to them and their monastery the right of patronage of the church of Kyllyn, in the diocese of Dunkeld, for the relief of himself and of the souls of his parents, as in the letters patent fortified by the seal of the same king is said to be contained. Clement confirms the king's act. Given at Avignon, 13 November 1348.

CXXXII

[Testification by the archdeacon of Dunblane as to the right of the abbey to twenty shillings yearly from the land of Pettynefive.]

Nicholas of Kynbuk, archdeacon of Dunblane, declares that it is certain, by authentic instruments, fortified by the seals of

bishops of St. Andrews, Dunblane, and Roger de Quincy, earl of Winton, constable of Scotland, not cancelled, nor in any part vitiated, and well and duly indentured, that he (Nicholas) and his successors, archdeacons of Dunblane, are under obligation to pay yearly at Martinmas, at Nesgask, to the abbot and convent of Inchaffray or their assignee twenty shillings sterling for tithes and all other things which the said abbot and convent were accustomed to receive from the land called Pettynefive [see No. LXIV.] by reason of their church of Gask Christi (Trinity Gask), and which the archdeacon possessed by reason of his church of Nesgask, by reason of an agreement between the predecessors of both parties, as in the indenture made on the subject is more fully contained. All who have an interest in the matter are hereby informed. Seal of Nicholas, and, for clearer testimony, the seals of William, bishop of Dunblane, and Laurence, prior of Abernethy. At Dunblane, Wednesday, 11 April 1358.

CXXXIII

[Robert, earl of Strathern, grants forty-two marks from the thanage of Duning, as of old.]

Robert, Steward of Scotland, earl of Strathern, to all his mairs of Duning. In his court, held at Crieff, 8 May 1358, the charters and muniments of the abbot and convent of Inchaffray, as to a yearly payment of forty-two marks from the thanage of Duning, were inspected. After careful deliberation he has given state and possession of the said annual payment to the religious afore-

marks from the thanage of Duning given to the abbey by Malise the first (Malise II.) and Malise the second (Malise III.), earls of Strathern, which charters he ratifies in all particulars. Seal of the grantor. At Perth, St. John Baptist's day [24 June], 1358. Witnesses . . .

CXXXV

[Surrender of deeds by Nevin MacEwyin and Marion, his wife.]

Nevin MacEwyn and Marion his wife, daughter, and one of the heirs of Malmoran of Glencharny, makes known that after solemn conference with kindred and the counsel of friends, they have for their advantage, and especially for the weal of the souls of the late Malmoran and Cicilia his wife, and of their predecessors and successors, granted, given, and sold for forty marks sterling to John, abbot of Inchaffray, and the convent of the same (which forty marks were paid in money by the said abbot), the letters, writs, instruments and muniments, all and singular, and all right and claim to succession 'by us, our heirs, and successors,' which letters, writs, etc., the late Malmoran, our predecessor had relating to the lands of Achelonsyche (which is called the Crage), Ardeweny, and Ardbany within the shire of Madderty. These lands had been pledged to Malmoran by Symon of Scone, abbot of Inchaffray, for the sum of forty pounds sterling by well-authenticated instruments. Nevin and Marion acknowledge the payment of the forty marks in full, and declare themselves well-content and satisfied. To the security of this grant and sale they swear on the Gospels in the chapel of St. Mary at Innerpefry, before Walter, bishop of Dunblane, Adam and Andrew, dean and archdeacon of Dunblane, and others [named].

Nevin and Marion further oblige themselves, their heirs, and successors, under a penalty of two hundred marks sterling to be applied to the fabric of the cathedral church of Dunblane and the monastery, and also under penalty of the greater excommunication, to be fulminated *ipso facto*, that they will not by word or deed attempt to set aside the above agreement on any plea in law. If any letters obligatory, instruments, or writs, touching the pledging of the said lands should be found in the future, they are to have no force; and yet at the expense of Nevin and Marion they are to be annulled, and delivered to the abbot and convent. They

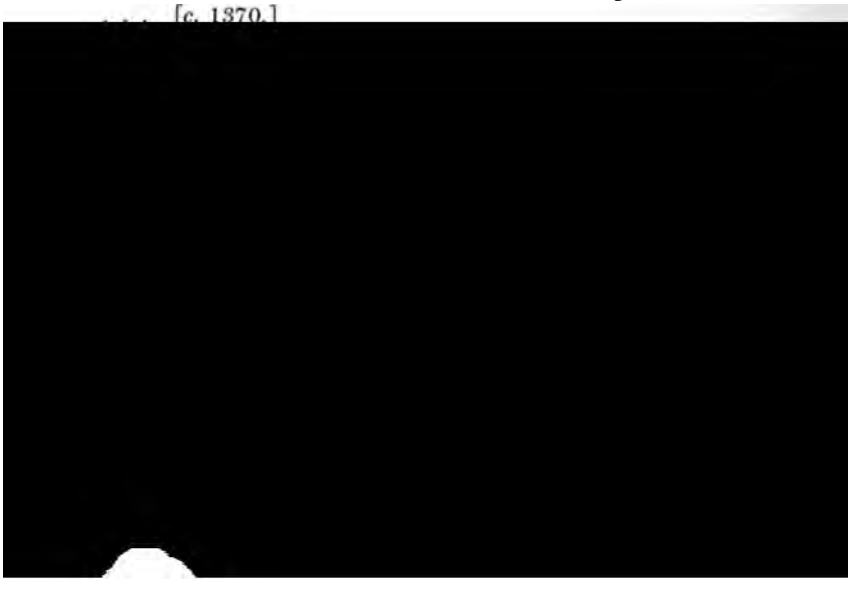
subject themselves, their heirs and successors, under the penalties aforesaid, to the jurisdiction, coercion, and judgment of the bishop, dean, archdeacon, their officials for the time being, who can compel observance of the above, all privileges, indulgences, and exceptions notwithstanding, more particularly the benefit of the Velleian law. In the event of any attempt at reclaiming, the penalty of two hundred marks is to be levied and paid in full, the present agreement nevertheless remaining irrevocably in full force. Their seals; and for greater security the seals of Robert, Steward of Scotland, earl of Strathern; Walter, bishop of Dunblane, and others [named]. Given in the parish church of Perth, on Friday next before the feast of St. Andrew [30 November], 1365. Witnesses . . .

CXXXVI

[Grant of Carnibo by Roger of Mekfen.]

Roger of Mekfen, lord of the same, makes known that in the spirit of devotion, for the weal of his soul, he has given and confirmed to the abbot and convent of Inchaffray, in pure and perpetual alms his whole land of Carnibo by its right meiths and marches, with all its liberties and easements, etc. To be held for ever by the said religious and their successors, of him and his heirs and successors, as free from secular exaction as any land can be granted by a baron or knight, saving the forinsec service of the king, and by performing for him and his heirs the forinsec service due to the earl of Strathern. Seal of grantor. Witnesses

[c. 1370.]



Seal of grantor, and for greater security the common seal of the burgh of Auchterarder. Witnesses . . . [*c.* 1370.]

CXXXVIII

Declaration by David, earl of Strathern, that a grant of subsidy by the abbey must not be drawn into a precedent.]

David, earl palatine of Strathern . . . 'Inasmuch as our beloved chaplains, the abbot and convent of our abbey of Inchaffray, have granted certain subsidies for the construction of bridges and the causeway lying on the west of the said abbey through the marsh towards our demesne lands of Fowlis,' he does not wish that any prejudice to the liberties of the abbey should be created by this grant of subsidies. To these letters patent his seal is placed. At Fowlis, 8 April 1375.

CXXXIX

Petition to Pope Clement VII. to confirm the election of William of Culross as abbot.]

The prior and canons of Inchaffray, shortly after the decease of John de Kelly, last abbot of the monastery, who died forth of the Roman Court, unanimously elected as abbot William of Culross, canon of the monastery and vicar of Dunyne, a provident and discreet man, commended for his knowledge of letters and his life and morals, which election Andrew, of good memory, then bishop of Dunblane confirmed by his ordinary authority, and gave benediction to the elect. Wherefore the prior and canons petition his Holiness to confirm the election, the bishop's confirmation, and benediction, and all subsequent acts, apostolic reservations notwithstanding.

The Pope commits to the bishop of Glasgow to confirm the election, if it be canonical, or, if otherwise, to make fresh provision of the elect, if he be fit. [At Avignon, 2 December 1381.]

CXL

[Petition to the same for confirmation of the church of Strugeith.]

The parish church of Strugeith, in the diocese of Dunblane, being vacant by the decease of the last rector, who died forth of

the Roman Court, the collation to which church belonged of full right to the bishop of Dunblane, Walter, of good memory, who then presided over the church of Dunblane, conferred the said parish church on the abbot and convent of Inchaffray by his ordinary authority, and united it for ever to the monastery, the possession of which church the monastery has peaceably and quietly possessed. But, because the abbot and convent have doubts as to their being in future troubled about this collation and union, because of their lacking confirmation from the Apostolic See, they humbly supplicate his Holiness to confirm the collation, union, and subsequent acts, and, if it shall be necessary, to confer the church anew on the monastery, and unite it anew, supplying defects, if any there were: apostolic statutes, ordinances and constitutions to the contrary notwithstanding.

The bishop of Glasgow is to inform himself, and, so far as was just, to confirm the collation and union. Avignon, 2 December 1381.

CXLI

[Papal Commission to the Bishop of Dunkeld to provide to the abbey, 19 July 1387.]

[Clement VII.] to the bishop of Dunkeld [John de Peebles].

During the lifetime of the late John, abbot of the monastery of Inchaffray, of the order of St. Austin, in the diocese of Dunblane, the Pope had resolved to reserve to himself the provision to the

said William caused the whole of the facts above stated to be laid before the Pope. The Pope thereupon declares the election and subsequent acts to be null and void, as being contrary to the reservation and decree aforesaid; he desires to provide with all speed for the good estate of the monastery, none other being able on this occasion to intermeddle with the matter; but having no certain knowledge of the merits, sufficiency, and fitness of the said William he, by this letter, commits to the bishop of Dunkeld, in whom he has full confidence in this and other matters, to inform himself very carefully as to the merits, fitness, and sufficiency of the said William, and if he is satisfied, to provide him, or, if not, some other person of the same or another monastery of that order [Canons Regular of St. Augustine], and appoint him abbot by committing to him the full care and administration of the said monastery both in spirituals and temporals, and causing due obedience and reverence to be rendered to him by those subject to him. Opponents are to be brought to submission by the censures of the Church, any appeal being deferred.

Moreover the bishop of Dunkeld was to cause the said William, or the other person [in the event of William being judged not qualified], to receive benediction from any bishop in communion with the Apostolic See, or the bishop of Dunkeld was himself to give benediction.

The bishop of Dunkeld, or the other bishop, was, after the benediction, to receive, in the name of the Pope and of the Church of Rome, the customary oath of fealty, in the form under the papal seal (*bulla*), which was enclosed. Further, the said William, or the other person, was to cause the form of the oath which he took to be transcribed, word for word, in letters patent, sealed with the seal of the bishop of Dunkeld, and to despatch these letters as speedily as possible, by his own messenger, to the Pope.

The Pope declares that he does not by these commands desire to create any prejudice in future to the rights of the bishop of Dunblane to whom the monastery is recognised as subject.

Given at Avignon, 14 Kal. August: Ninth year [19 July 1387].[1]

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[1] This commission was originally addressed, 'To our beloved son Walter, cardinal priest of the holy Roman Church, sometime bishop of Glasgow, legate of the Apostolic See.' See what is said on William de Culros in the Appendix on the Priors and Abbots of Inchaffray, p. 253, and the Notes on No. CXLI.

CXLII

[Confirmation, by Godfrey of Ile, of the chapel of the Holy Trinity in (North) Uist and of certain lands.]

Godfrey of the Isles, lord of Uist, makes known that he has given, granted, and confirmed for the weal of his soul, etc., and in honour of the Holy Trinity and St. Mary glorious Virgin, to Inchaffray, in pure and perpetual alms, the chapel of the Holy Trinity in Uist, and the whole land of Karynche, and four penny-lands in Ylara between Hussaboste and Kanusorrarath, as freely as Christina, daughter of Alan, of good memory, true heiress, and Reginald, called M'Rodry, true lord and patron, conferred the said chapel with the lands aforesaid on the monastery and convent. He ratifies and confirms the above, with the addition, that his beloved Thomas, canon of Inchaffray, should fully and peaceably possess the chapels and lands. His seal, at his castle of Elane Tyrym, 7 July 1389.

CXLIII

[Confirmation by Donald, Lord of the Isles.]

Donald of Yle, lord of the Isles, makes known that he ratifies and confirms the gift of Christina, daughter of Alan, heiress and lady of Uist, namely the chapel of the Holy Trinity in Uist, with lands and pertinents, made to Inchaffray in pure alms as the grant was made by the said lady and her successors, Reginald, son of Roderick, formerly lord of Uist, and 'Godfrey of Yle, our brother,

CXLV

[Grant of Land at Mekven.]

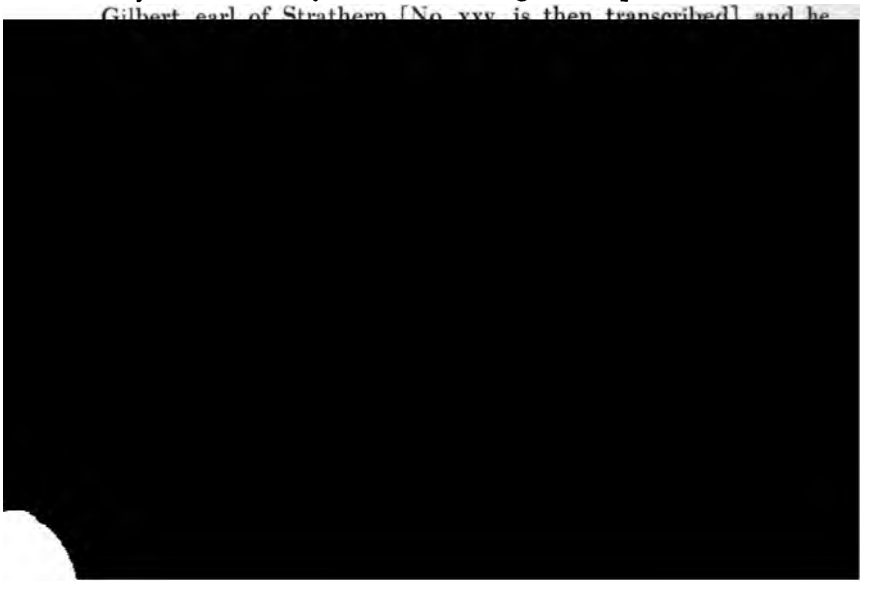
Robert of Mekven, lord of that ilk, makes known that he has given to Inchaffray, in pure and perpetual alms, his brewland of the vill of Mekven, with the tofts of the same, and eight acres of land circumjacent, in the lordship of Mekven, within the county of Perth. To be held, with their pertinents, by the abbot and convent, from him and his heirs, of the lord of Methven in fee and heritage, together with pasture for twenty kine, sixty sheep, and two horses, and with all the liberties and easements which do, or could in the future, pertain to the said brewland, tofts, and eight acres, as freely as he or his predecessors held them. *Reddendo* to the lord of Methven a silver penny yearly, if asked. Warrandice. Seal of grantor: and for greater evidence the seals of David Flemyng and John of Haddington, burgesses of Perth. At Perth, 9 March 1443-4.

CXLVI

[Creation, by King James II., of the barony of Cardenay out of the lands of the monastery.]

James, by the grace of God, king of Scots, makes known that among the cares and anxieties which beset him, he especially sought that the churches of his realm, erected to the praise, worship, and honour of our Lord Jesus Christ, should be wisely ruled, that what in them was out of order (*deformia*) should be reformed, and that in his time their revenues might be increased. He had learned how his ancestors, kings of Scotland, the earls of Strathern, and others of the nobles and of the faithful had dowered the monastery of Inchaffray with divers possessions, and fortified it with many privileges. Wherefore, after being ripely advised by his council, he gave, granted, and confirmed to John, abbot of Inchaffray and the convent, and their successors, all the lands of the lordship of Cardenay and Dalhorochquhi, and the wood of Cardenay with its pertinents, the lands of Madderty with its wood, namely, Williamstown (also called Balfour), Soutartown, Dubottis, Ardbany, 'the bordland of the monastery,' the land of Crag with its pertinents, Balmacgillon, Rath, the mill of Dunfally on the river Ern, with four acres annexed, and pasture of eight

'soums' [see Notes] in Dunfally, Mukrath, Rahalath, Kincladi, Inchenath, with five acres adjacent in Abircarny, Hangandside, Dunnedufe, with the brewland of Petlandi, and certain adjacent acres, the land called Brewland on the north of the monastery, the land which Tristram of Gorty formerly gave to the monastery which lies between Gorty and the mill of Miltown, the land of the monastery which lies in the lordship of Cluchybeg, the church-land of Gask Crist (Trinity Gask), the church-land of Kilbride, the church-land of Madderty, and the church-land of Kinkel, with their pertinents,—all which lands John the abbot, in the name of the convent, freely and simply resigned by staff and baton, into the king's hands. To be held by the abbot and convent that now is, and their successors, 'which lands we incorporate, annex, and create into a free and perfect barony, which barony shall be called in all time future the barony of Cardenay,' of the king and his successors, in pure and perpetual alms, in fee and heritage for ever, with all profits and easements, by its right and ancient meiths and marches, in moors, woods, etc., with courts and their issues, escheats and heriots, bludwites, and marriage-tax (*merchetis mulierum*), with gallows and pit, sok and sak, thol and theme, infangandthefe, outfandgandthefe, and all other liberties, easements, etc., as well unnamed as named, as well under as above the land, etc., as freely as the abbot and convent held them in the past. *Reddendo*, service of the king used and wont, such as other prelates render the king, and as they themselves rendered in times past. The abbot and convent were to hold direct of the king, and under no possibility were they to hold of any other. The king had inspected a charter of Gilbert earl of Strathern [No. xxv. is then transcribed] and he



mortmain, in fee and heritage, by their right, meiths, and marches; as freely as the said Andrew or his predecessors had held them before the resignation, 'reserving to us and our successors the suffrages of the devout prayers of the religious.' Great Seal. Witnesses, William, bishop of Glasgow, John, bishop of Dunkeld, the chancellor Creichton, Andrew, abbot of Melrose, 'our confessor and treasurer,' and others [named]. At Perth, 8 August 1450.

CXLVIII

[Leave to fish for eels in Polpefery.]

Robert Mersar of Innerpefery, with the consent of his heir, Alexander Mersar, and of his uncle, Andrew Mersar of Inchebreky, to whom the lands of Inchebreky are pledged, for the weal of his soul and of the souls of Janet his spouse, and Alexander his heir, and of all his successors, gives to the abbot and convent leave, for ever, to fish with 'arcae,' nets, and other instruments necessary for taking eels and other fish, in the place commonly called Polpefery in his demesne of Dullory, and of placing upon Polpefery one or more of these instruments, and of making piles of stones and timber and mounds of earth, and of getting these materials from his lands of Dullory, and of maintaining them, for the purpose of catching the fish. If he or his heirs ever revoke the above leave, he or they shall be obliged to pay one hundred pounds of the usual money of Scotland. If he or his heirs place any of these fishing instruments in Polpefery the abbot and convent may take and appropriate them, without any right on the part of him or his heirs to seek restitution. His seal, and the seal of his uncle, Andrew Mersar. Witnesses . . . 24 June 1454.

CXLIX

[Alexander Mersar, son and heir of Robert Mersar of Innerpefery, ratifies the grant of his father (No. CXLVIII.) on the following day, 25 June 1454.]

CL

[Sentence of Robert, bishop of Dunblane, as to a certain mortuary.]

Public Instrument by John Scot, presbyter of the diocese of Dunblane, notary public, 26 January 1461-62. In the consistorial

court of Dunblane, in litigation as to the mortuary of one hundred shillings (usual money of Scotland) of the late Tristram of Gorthy, between Nicholas, abbot of Inchaffray (represented by Laurence Fethill, chaplain, the abbot's proctor) and William of Fowlis, vicar of the parish church of Fowlis. After the parties had been heard and witnesses sworn and examined, and the executors of the deceased having been cited and appearing, the bishop (Robert) of Dunblane, after having taken counsel with his assessors and those learned in the law, pronounced definitive sentence, namely, that, according to the foundation of the vicarage, mortuaries, 'whole and entire,' of the parish church of Fowlis were due to the abbot, and mortuaries divided and not whole, were with the accustomed offerings, to go to the vicar of Fowlis. The one hundred shillings were therefore to be paid to the abbot or his proctor, and the expenses of the suit were to be paid by the vicar. The taxing of the expenses was reserved. The bishop's round seal affixed. These things were done in the cathedral church of Dunblane, at eleven o'clock, or thereabout, before noon, day and year as above. The notary signs with his usual sign and subscription.

CLI

[Grant by King James IV. of leave to dig a stank.]

James, king of Scots, makes known that he has learned that because of the marshes and the excessive inundations in his meadow-land on the north of the monastery of Inchaffray there was safe access to the monastery for neither men nor horses.

ABSTRACTS OF CHARTERS, ETC., IN THE APPENDIX

I

[Charter of King William confirming certain lands to Malise, son of Ferteth, earl of Strathearn.]

William, King of Scots, makes known that he has granted, and by this his charter confirmed, to Malise, son of Ferteth, earl of Strathern, Mothel and Tuliedel and Oggoueli and Barderal and Kinkarden and Ouctermafen and Rossi by the right marches of the same lands. To be held by him and his heirs, of Earl Gilbert, his brother, and his heirs in fee and heritage: in wood and plain, in lands and waters, in meadows and pastures, in mills and stanks, in forests and hunting-services (*tristriis*) [of vassals], in moors and sheilings, and all other just pertinents: with sac and soc, with tol and tem, and infangenthef, with gallows and pit, as freely, quietly, fully, and honourably as the charter of the aforesaid Earl Gilbert testifies and confirms, by the service of one knight. Witnesses . . . at Perth. [1172-8.]

II

[Grant of the lands of Madderty by King William to Earl Gilbert.]

William, king of Scots, makes known that he has given and confirmed to Earl Gilbert of Strathern, Madderty, by its right marches, and with all its just pertinents, in wood and plain, lands and waters, meadows and pastures, moors and marshes, mills and stanks, and all other just pertinents, with sac and soc, tol and theame and infanganthefe, to be held by him and his heirs, of the king and his heirs, in fee and heritage, freely and fully, by the service of one knight, even so that neither the earl nor his heirs should at any time make recognition for the land to Gillecolm

Marescal, nor his heirs, nor any of his family should they desire to raise an action in respect thereto against the earl or his heirs, inasmuch as the aforesaid Gillecolm lost the aforenamed land for his felony towards the king, he having surrendered the king's castle of Heryn, and afterwards as a traitor gone over to his mortal enemies, and stood with them in doing all in his power for the injury of the king. Witnesses . . . At Linlithgow. [1185.]

III

[Commission of Innocent IV. to investigate a dispute between the provost and chapter of St. Mary's and the prior and convent of the cathedral at St. Andrews.]

Innocent [IV.] 'to Master Abel, our chaplain, archdeacon of St. Andrews and . . archdeacon of Teviotdale, in the diocese of Glasgow, and John of Everlay, canon of Dunkeld.' On the part of . . provost and the chapter of the secular church of St. Mary, in the city of St. Andrews, it was submitted to us that the prior and convent of the cathedral church of St. Andrews, of the order of St. Austin, had asserted that it had been granted to them by the Apostolic See that on the resignation or death of canons of the said church of St. Mary they (the canons of the cathedral) might apply their prebends and possessions to their own (the cathedral canons') uses. On this and other matters they had obtained in opposition to them (the provost and chapter of St. Mary's) letters apostolic addressed to the priors of Kitham (Kirkham) and St. Oswald's, of the diocese of York. These two priors, without giving any competent monition, and without

what ought to be enjoined) and terminate it, within four months from the date of the reception of these present letters, either by judicial sentence, or by an agreement between the parties. But if they were unable to bring the cause to a conclusion, they were to remit it, 'either instructed or not instructed' for examination by the Apostolic See,—appointing to the parties a peremptory limit of time by which they were to compear before the Pope, either by themselves or by their proctors, with all their muniments, arguments, etc., to receive just sentence with the help of the Lord. Provided that if the said sentence of excommunication had been pronounced for manifest offences, the sentence should not be relaxed until sufficient satisfaction had been offered. [Followed by the usual formula as to witnesses, and as to two of the commissioners acting if all three could not.] 'Given at Lyons, vij Id. April, in the eighth year of our pontificate' [7 April, A.D. 1251].

IV

[Agreement between the Master and brethren of the Hospital of SS. James and John, of Brackley, of the one part, and Robert, bishop of Dunblane, of the other part, as to the church of Gasknes.]

This agreement was made at Whitsunday 1266 between the master and brethren of the Hospital of SS. James and John, of Brackley, of the one part, and Robert, bishop of Dunblane, of the other part. The master and brethren grant their church of Gasknes and all its fruits and lands to the bishop *ad firmam* for a period of five years in return for twenty-four marks, to be paid annually to the master and brethren at the monastery of Oseney on the feast of St. Michael, or within eight days following; the first payment to be made at Michaelmas, 1267. Whatever sum was not paid for the year 1266 should be paid at the term (Michaelmas, 1267). If the bishop happens to die there shall be no distribution of the goods pertaining to him, as settled in his last testament, till the master and brethren have been paid. If the bishop resigns his bishopric, and neglects or refuses to pay the twenty-four marks, he will incur the penalty of double to be paid to the brethren. After the five years, if the bishop desires to keep the church and lands *ad firmam*, the agreement will be renewed for another five years at the same rent; and so on, from

five years to five years. Yet no right shall accrue to the bishop's successor in the church and land, on the ground of this present agreement. On the death or resignation of the bishop the church and land shall immediately revert to the master and brethren.

Colmin, the liege-man of the master and brethren, shall not be removed from the lands, while the bishop has them *ad firmam*, nor may he be unjustly burdened or required by the bishop to attend courts of law outside the said lands, but shall be treated kindly, as behoves

Moreover, if the vicarage of the church becomes void while the bishop has the church, it will be permissible for the master and brethren to present to the bishop a fit person, whom the bishop shall admit without difficulty and constitute vicar.

The bishop shall maintain the houses on the glebe land, when they shall have been properly repaired, in the same state in which he receives them; unless through age, or storm, or some unforeseen accident for which the bishop is not responsible, they shall fall into decay.

Moreover, the bishop shall pay every year to the abbot and convent of Inchaffray twenty shillings, and to the vicar for the time being two marks, over and above the twenty marks aforesaid, and shall bear all ordinary burdens, so far as they pertain to the master and brethren. But extraordinary burdens he shall pay out of the rent to be paid to the master and brethren, as is just.

In the event of the master and brethren incurring damage or expenses through deficiency in the payment of the said rent at the times and place aforesaid, the bishop shall be bound to satisfy for the damage and expenses together with interest, on which

parties subject themselves to the jurisdiction and coercion of the bishop of Lincoln for the time being, so that he may compel by sentences of interdict and excommunication the party contravening the agreement. Moreover the said bishop [of Dunblane] promised that he would give diligence that things illegally alienated should be restored.

For greater security to the part of this indenture (*cirographi*) which was to be deposited with the master and brethren the seal of the bishop of Dunblane was attached, together with the seal of the see of Dunblane; and to the part to be kept by the bishop the common seal of the master and brethren. Witnesses . . .

IV A

[Gift of the church of Gask to the Hospital of Brackley.]

Seher de Quincy, earl of Winton, makes known that he conferred and confirmed to God, St. Mary, and the Hospital of St. John of Brackley, and the canons and brethren there serving God, the church of Gask with all its pertinents, the right of the patronage of which belonged to him, in pure and perpetual alms, for the soul of his late father Robert de Quincy, and of his mother Orable, and of his eldest son Robert, and for the weal of his own soul and of the soul of his wife Margaret, etc., for the maintenance of the said canons and brethren there serving God and ministering to the sick. His seal. Witnesses . . . [1210-18].

IV B

[Confirmation of the above by King Alexander II.]

Alexander [II.], king of Scots, makes known that he has confirmed the gift of the church of Gask made by Seher de Quincy to the Hospital of St. John of Brackley, to be held in pure alms, as the charter of the aforesaid Seher testifies. Witnesses . . . At Stirling, 15 October. [*c.* 1215-20.]

V

[Grant by Earl Malise to his sister Mary of leave to search for and possess certain neyfs.]

Malise, earl of Strathern, makes known that he has granted and confirmed to his sister, the lady Mary, leave and power to search for and possess all the neyfs justly pertaining to the lands

of Straty and Pronny, wherever they were found in his lands, to place them in the said lands of Straty and Pronny to serve the said lady and her heirs, with all their goods, chattels, and offspring. He strictly prohibits any from troubling the said lady and her heirs on this matter. Seal of the earl. Witnesses . . . Given at Fowlis, 21 February 1268-9.

VI

[Obligation by George, abbot of Inchaffray, that within twenty days after his admission to the abbacy he will appoint Laurence, Lord Oliphant, to be bailie thereof, 25 January 1468-9.]

VII

[Petition of Mary, Queen of Scots, to the Pope, that the *commendam* of Inchaffray should be granted to James Drummond.[1]]

The queen urges the importance of good men, devoted to learning, being appointed to ecclesiastical dignities where they could be of more service to the state, which is especially true at a time when the Church was so grievously afflicted. She declares her desire and resolve to preserve and advance the Catholic faith and the religion of her ancestors, now almost overwhelmed in her kingdom by the malice of seditious men and by force of arms. There were few who openly professed the true doctrine and sought to repress the errors and turbulence which everywhere prevailed. Among these was one specially characterised by

the Catholic religion and the Apostolic See, demanded this favour. The queen begs that a pension of two hundred pounds Scots might be assigned to John Gordon, and another pension of one hundred pounds Scots to Laurence Gordon, out of the fruits of the monastery, as set forth in the forms of mandates offered to his Holiness. In this way, as the times were, the best would be done for that prelacy (*sacerdotio*) and the advantage of Alexander Gordon. His Holiness could learn more fully from Cardinal Sermoneta, 'pronotor' of the queen's affairs. [1565.]

VIII

Gift of the abbacy by Queen Mary to James Drummond for his lifetime, 26 July 1565.]

IX

[Institution of James Drummond to the abbacy of Inchaffray.]

On 2 August 1565, in the twenty-third year of Queen Mary, in the presence of Andrew Drummond, clerk of the diocese of Dunblane, notary public, and of the witnesses underwritten, James Drummond, clerk of the diocese of Dunblane, came to the chapter of the monastery of Inchaffray, and there presented to Sir Andrew Gerdin, superior of the said monastery, in the presence of the other canons gathered in chapter, the queen's letters of his provision to the abbacy for life, sealed in the accustomed form with the sovereign's privy seal, as in the same bearing date Edinburgh, 26 July 1565, is more fully contained; requiring Sir Andrew to give him, as undoubted abbot, institution, and possession of the monastery, with its rights, fruits, tithes, lands, etc., according to the tenor of his provision; to assign to him a stall in choir and place in chapter, to render him obedience as abbot lawfully provided, and to cause the other canons to render like obedience. The said Sir Andrew, as an obedient son, understanding the said request to be just, received into his hands the letters of provision, and caused them to be read in the chapter. This done, the said Sir Andrew instituted the said James as abbot by the delivery of a Bible and the keys of the monastery, and inducted him into real possession, and assigned him a stall in choir and place in chapter as tokens of real possession of the monastery and its emoluments. And Andrew and the rest of the canons rendered the said James obedience as undoubted abbot, and

promised to render the same in future, and delivered to him in token of real possession a certain sum of money paid by James Drummond, tenant of the monastery in Auchterarder, and dismissed him in peace, without opposition of any. Upon which, all and singular, the said James, abbot, asked instruments of the notary. Done within the chapter and in the church of the monastery, about ten o'clock before noon on the day, in the month and year, etc., as above. Witnesses . . .

Testification by Andrew Drummond, clerk of the diocese of Dunblane, admitted notary public by the Lords of Council.

X

[Confirmation under the Great Seal of a Tack by the Commendator and convent of Inchaffray to David, lord Drummond, or Dame Lilias Ruthven, his spouse, of the Abbey and whole benefice thereof for their lives for yearly payment of 900 marks, Scots. The Tack is dated 7 November 1560, the Confirmation 24 February 1565-6.]

Henry and Mary, by the grace of God king and queen of Scots, make known that they ratify and confirm the tack and assedation made by Alexander, bishop of Galloway, or Candida Casa, commendator of Inchaffray and the convent of the same, to their beloved cousins, David, Lord Drummond, and the Lady Lilias Ruthven, his spouse, of the lands, churches, rents, etc. [detailed fully in the charter of the commendator and convent written in Scots and transcribed in this royal confirmation]. The tack and assedation is to have the same force as if it had been confirmed at the court of Rome, and is to have effect during the whole

HEADS (PRIORS AND ABBOTS) OF THE CONVENT OF AUSTIN CANONS AT INCHAFFRAY

MALISE is described in the Foundation Charter as 'presbyter and hermit.' To him Earl Gilbert intrusted the selection of the first members of the community. To him, too, was intrusted the duty of instructing the religious in the service of God according to the rule of St. Augustine (A.D. 1200). Abbot Bower (*Scoti-chronicon*, viii. 73) relates that the members of the new community were drawn from the house of Canons Regular at Scone. A charter of Jonathan, bishop of Dunblane, granting to the abbey of Cambuskenneth the churches of Tulibody and Tillicultrie, is witnessed by 'priore Maliis de insula Effren' (*Regist. de Cambuskenneth*, p. 313). Malise was dead before 1210. (See Nos. XXVI., XXVII.)

Between Malise and Innocent, who became prior in 1220, there were at least two priors, by name John and Elphin (or Elpin); but in what order they succeeded is a question which it is not easy to answer.

JOHN was Prior in the time of Abraham, bishop of Dunblane (1210-*c.* 1224). See *Chartulary of Lindores*, Nos. XXX., XXXI., and *Regist. Vet. de Aberbrothoc*, Nos. 213, 214, 215. Assuming that 'J' of No. XXXII. is this John, we find him in the time of John II., bishop of Dunkeld, who was elected 24 July 1211, and died 7 October 1214. The names of two canons of Inchaffray, Henry and Durand, in Prior John's time are mentioned in the Arbroath charter referred to above.

ELPHIN, who does not appear in the present volume, granted a charter to the abbey of Lindores in the time of Bishop Abraham (*Chartulary of Lindores*, No. XLIX.; see also Nos. XLII. and XLV.). The most important clue as to date is that Guido, abbot of Lindores,

is still alive (No. XLII.). Guido died 17 June 1219. Robert is now *heir* of Earl Gilbert.[1]

In 1220, according to the chronicler (*Scotichr.*, ix. 37), the prior of Inchaffray, a Scot by race, was removed from office *propter insufficientiam*, and one of the Canons of Scone,

INNOCENT by name, was placed in his stead as prior.[2]

Innocent was not many months prior before he was raised to the dignity of abbot. This important event in the history of Inchaffray took place in 1220 or perhaps 1221 (see *Scotichr.* ix. 36, 37). This was effected by the favour of Master James, canon of St. Victor at Paris, chaplain and penitentiary of Pope Honorius III., Legate of the Apostolic See to Scotland, Ireland, and the Isles. Innocent received benediction at the hands of the bishop of Dunblane. Innocent was abbot in the time of Robert, earl of Strathern, as well as for a year or two before the death of Earl Gilbert. But the material at present available does not allow us to say exactly how long he ruled. He is abbot in August 1234 (Nos. LX., LXI.). He died or resigned before 1239. See next entry.

N[ICHOLAS?], abbot of Inchaffray, appears as a witness in a charter dated 7 April 1239. See *Chartulary of the Abbey of Lindores*, No. LIV., where in the printed text we find 'H.' not 'N.' But there being reason to suppose that the 'H.' was an error, a tracing of the letter in the original manuscript (kindly supplied by Colonel Cuninghame of Caprington) was submitted to a distinguished expert, who pronounced that the letter was most

probably 'N.' There is no doubt that N. was abbot of Inchaffray (*Chartulary of Lindores*, No. XXVIII.) about the date of the charter indicated. Both charters are in the time of Bishop Clement and of Earl Malise II. (the *first* Malise of our charters). N. must have died or resigned before the death of Bishop Clement; see next entry. For the conjecture that he is to be identified with Nicholas, precentor of Dunblane in January 1240, see Introduction, p. xx.

ALAN succeeded as abbot before the death of Bishop Clement (1258, *Cron. de Mailros*; or 1256, *Scotichron.*, x. 11), with whom 'A.' appears as a witness (*Lib. Ins. Miss.*, Appendix to Preface, p. xxxiii). He is abbot at Whitsunday 1266 (No. IV. of the Appendix to the Charters, p. 157), and on 14 February 1265-6 (No. XCI.), and on St. Clement's Day (23 Nov.), 1271 (No. XCVIII.).

HUGH, abbot of Inchaffray (who perhaps is to be identified with Frater Hugh, brother of Earl Malise, No. LXXXVI.; and Frater Hugh, formerly *terrarius* of the monastery, No. XCVI.; and with Hugh, prior of Inchaffray, in an undated charter of Earl Malise, *Lib. Ins. Miss.*, p. xxxviii), appears on 25 and 31 October 1284 (see Nos. 16 and 17 in Appendix to the Preface of *Lib. Ins. Miss.*). He was engaged in a controversy with Andrew, abbot of Cupar, as appears from a charter, unfortunately misdated 24 June 1202 (No. CXI.). Mr. Cosmo Innes, with hesitancy, suggests 1282 as a correction.[1]

The abbot of Inchaffray (unnamed) was present at the Parliament at Brigham, 17 March 1289-90 (*Acta Parl.*, i. 85, 86). Perhaps this abbot was Hugh.

THOMAS was abbot in or before 1296, and took part, apparently in that year, as a canon (precentor) of Dunblane, in the election of the bishop (Alpin). (*Theiner*, No. ccclv.; and Stevenson's *Documents Illustrative of the History of Scotland*, ii. 115.)

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[1] *Liber Insule Missarum*, p. xvii, note x. Even 1272 seems possible, as Andrew [Buchane], abbot of Cupar, who appears, is said to have succeeded in that year (*Scotichron.*, x. 30; *Extracta e Variis Cronicis.*). Dr. C. Rogers (*Rental Book of the Cistercian Abbey of Cupar-Angus*, vol. i. p. 24) notices the error of the misdated charter referred to above, but falls into an error of his own when he says, 'Hugh was abbot of Inchaffray from 1271 till early in the following century.'

MAURICE succeeded in or before 1307, as he is stated to have taken part in the election of Nicholas (II. of Balmyle), bishop of Dunblane, in a letter of Pope Clement V. dated 11 December 1307 (*Theiner*, No. cccIxxxvi.). The part Maurice played before the battle of Bannockburn in encouraging the troops, etc., is well known (see *Scotichr.*, xii. 21). On the death of Nicholas of Balmyle, bishop of Dunblane, Maurice was one of two for whom votes were given in a disputed election by the chapter. After prolonged litigation at the Apostolic See, both parties resigned all claims into the hands of the Pope (John XXII.), who thereupon provided Maurice to the see of Dunblane, 5 March 1322 (*Theiner*, No. ccccxli.). Before three weeks had elapsed he was consecrated, at Avignon, by Berengarius, Cardinal-Bishop of Porto, and he was commanded, in the usual form, to betake himself to his diocese, 23 March 1322 (*Ibid.*, No. ccccxliii.).

Though Maurice's consecration was not till March 1322, there is reason to believe that the death of Nicholas of Balmyle, bishop of Dunblane, and the consequent election, took place in the autumn or early winter of 1318; and that Maurice was styled 'bishop of Dunblane' by Robert I. without waiting for the Pope's confirmation. In a charter of Robert I., 4 December 1318 (Tuesday next after the feast of St. Andrew, in the thirteenth year of the reign), at Scone, one of the witnesses is Maurice, bishop of Dunblane (*Regist. Ep. Aberdon.*, i. 45).

CRISTIN seems to have succeeded on the elevation of Maurice to the bishopric of Dunblane. In a dispute as to the tithes of certain lands between Maurice, bishop of Dunblane, and Robert,

Cosmo Innes (*ibid.*, p. xv) observes, 'He must have held the abbey for a long period or had a successor of the same Christian name.' The volume of *Petitions* in the *Calendar of Papal Registers* (i. 565) shows that the latter alternative is the truth, and that the second William did not immediately succeed the first, but that certainly at least one abbot and possibly two abbots intervened between the above William and the William who appears in 1398. William must have died or resigned at latest by 1373. See next entry.

JOHN DE KELLY was abbot of Inchaffray in 1373, 3 April (*Acts of the Parliaments of Scotland*, i. 197). He died before Andrew, bishop of Dunblane, whose decease was probably early in 1380. See next entry.

WILLIAM DE CULROS, canon of Inchaffray and vicar of Dunyn. The petition to the Pope (No. CXXXIX.) shows that he was elected unanimously by the prior and canons, and received confirmation and benediction from Andrew, bishop of Dunblane. In reply to the petition Clement VII. (Avignon, 2 December 1381) directed that a commission should issue to the bishop of Glasgow to conform the election, if it were canonical, or else to provide him if he were fit (*Cal. Pap. Reg. Petit.*, i. 565). Dr. Maitland Thomson has discovered in the Vatican Archives that nearly six years later (19 July 1387) a commission (No. CXLI.) was issued to the bishop of Dunkeld (the name of Cardinal Walter, sometime bishop of Glasgow, being deleted) stating that William, canon of the abbey, had been elected by the convent after the death of abbot John, in whose lifetime the appointment had been reserved by the Pope, and commissioning the bishop of Dunkeld to provide to the abbey either William, or some other canon of Inchaffray, or of some other abbey of Austin Canons, and to cause him to be blessed by any Catholic bishop, without prejudice to the right of the bishop of Dunblane (*Reg. Avinion.*, 251, 22). Cardinal Walter, bishop of Glasgow, died apparently in the spring of 1387. The researches of Dr. Maitland Thomson at the Vatican enables us to record that a canon of Inchaffray, David Bell, was provided abbot of Holyrood 13 June 1379 (*Reg. Avin.*, 219, 454). Bell resigned Holyrood in 1386, and was provided in the following year to the Priory of Portmohok (*i.e.* Lochleven) and made a Papal chaplain. Later on he resigned the Priory, and in 1395 was a simple canon of

How long William de Culros was abbot of Inchaffray we cannot say with our present information.

William Franklyn. The date of his appointment is not yet known to us. It will probably be found in the Avignon registers when they come to be examined. He appears on the feast of St. Mathias (24 February), 1398, witnessing with the prior and the whole convent. See *Lib. Ins. Miss.*, p. xv.

This William is perhaps the William mentioned in the provision of John Lange (see below).

Donald (of Dunfermline?). On 4 November 1422 Martin v. wrote to the bishop of St. Andrews to investigate and report upon a charge made by the canons of Inchaffray that Donald, abbot of Inchaffray, publicly kept a certain woman as his concubine, and was dilapidating the goods of the monastery (*Cal. Papal Regist.*, vii. 292). Before 25 August 1429 (see next entry) he seems to have resigned. The language of the provision of John Lange suggests that there may have been doubts raised as to the regularity of Donald's appointment.

John Lange, prior of Inchaffray, provided 26 August 1429 to the abbey, 'void by the simple resignation into the hands of the Pope, or his commissary, on the part of Donald of Dunfermline, or by the death of the late William, formerly possessor of the monastery (Brady, *Episcopal Succession*, i. 184). John seems to have died soon after. After which Robert Beton seems to have succeeded and died, for 31 July 1430 William de Carmiele, religious of Scone, is provided to the abbey void by the death of

GEORGE MURRAY [MUREFF (*sic*) Brady] provided 18 March 1467 by Paul II. On 15 April 1467 he offers one hundred gold florins (Brady). On 14 October 1467 the abbot of Inchaffray is present in Parliament (*Acta Parl.*, ii. 87), and again 12 January 1467-8 (*ibid.*, 89). In 1474 George brought an action against certain persons for destroying and downcasting the mill-lade and mill-dam of Dunfally, and won his case (*Acta Audit.*, p. 33). His Letter of Bailiary in favour of Laurence Oliphant, 25 January 1468-9, is printed in this volume (Appendix to Charters, No. VI.).

On 14 October 1484 George appears by his proctor before the Lords Auditors (*Acta Audit.*, 1466-94, p. 146). For January 1488-9, see No. CLI.

LAURENCE OLIPHANT, clerk of Dunblane, provided 16 November 1495. He 'offers' one hundred gold florins in December 1495, *ratione commende* (Brady).

Dr. Maitland Thomson has supplied the writer with the information that this Laurence Oliphant was son of the first Lord Oliphant (not of the second lord, as the 'Peerages' say). He fell at the battle of Flodden, 9 September 1513.

ALEXANDER STEWART de Pitcarne, son of Alexander, duke of Albany, by Catherine Sinclair (see *Reg. Mag. Sig.*, iii. Nos. 1230, 111.). On 5 August 1514 a letter was addressed to Leo X. in the name of James V., requesting that Alexander Stewart might have Inchaffray (*Epist. Reg. Scot.*, i. 199). He was granted the *commendam* by Leo X., 13 November 1514, the abbey being void by the death of Laurence, Peter, presbyter cardinal, of the title of St. Eusebius, resigning his right. Alexander Stewart is described in the provision as 'clerk of the diocese of St. Andrews.' He was absolved *ad cautelam*. See Hergenrother, *Regesta Leonis X.* The cardinal who had been previously granted the abbey was Peter Accolti. On 22 December 1514 Stewart 'offered' for Inchaffray one hundred florins of gold. He held the abbey *in commendam*, and retained it (paying a tax of one hundred florins) when promoted to the see of Moray, 13 September 1529. He also retained the deanery of Brechin and the *commendam* of Scone (Brady). He died 21 December 1537 (*Black Book of Taymouth*, 121). A tack granted (24 April 1536) by him as commendator of Inchaffray, signed by him and twelve canons, is among the *Laing Charters* (No. 407).

GAVIN DUNBAR, archbishop of Glasgow, was given the *commendam*, at the request of the king, 29 July 1538; tax, one hundred florins (Brady). Dunbar died 30 April 1547 (*Acta Dom. Concil.*, xxvi. 120).

JOHN HAMILTON, aged twelve or thereby, receives a dispensation, and is granted the abbey, 28 November 1547 (Brady). He resigned in 1551. That the provision was effective is proved from the record of an action by John, commendator of Inchaffray and the convent thereof against Oliver Sinclair and Henry Drummond successively lairds of Petcarnis, for an annual rent of ten marks resting owing for the years 1537 to 1543 inclusive. Mentioned 24 January 1550-51, 2 May and 3 June 1551 (*Acts and Decreets*, iv. 294; v. 17, 73). This note was furnished to the editor by Dr. Maitland Thomson. Who was this John Hamilton?

ALEXANDER GORDON, late archbishop of Glasgow, elect of Athens. On 4 September 1551 he receives the *commendam* of Inchaffray, to be held for life, with the church of Athens. He held the *commendam* till 1564 (Brady); but see below. He is spoken of as elect of Galloway as early as 4 November 1560 (*Reg. of Deeds*, iii. 432).

Alexander Gordon was a son of John, Master of Huntly, by Jane (? Margaret), a natural daughter of James IV.; he was brother of George, fourth earl of Huntly.

He resigned in favour of James Drummond (see next entry), reserving the right of regress to the *commendam* in the event of the death of Drummond.

young child, and set divers lands in feu, in prejudice of the kirk.' The bishop of Galloway 'granted that he had offended in all that was laid to his charge' (*Booke of the Universal Kirk of Scotland*, pp. 112, 114; see also Calderwood's *History of the Kirk of Scotland*, ii. 393).

There is no evidence that James Drummond's appointment was sanctioned by the Pope, and everything points to such sanction being lacking. 'The abbey of Inchaffray, according to Cosmo Innes, was erected into a temporal lordship in his favour, and he was created Lord Maddertie [31 Jan.] 1609.'[1] But see what is said by Dr. Maitland Thomson on this subject, in his Appendix on the Abbey Lands, and his note at p. 308. D.

ADDENDUM

When too late for insertion in its proper place, the following important note, furnished by Dr. Maitland Thomson from the Vatican Registers, came to hand:—

CARDINAL PETER [ACCOLTI] was made commendator of Inchaffray, 3 October 1513; but, *litteris apostolicis desuper non confectis*, the cardinal resigned on 13 November 1514, on which day Alexander was granted the *commendam*.

[1] Preface to *Liber Insule Missarum*, p. xvi.

NOTES, CHIEFLY ON PERSONS AND PLACES NAMED IN THE CHARTERS, BULLS, ETC., PRECEDED BY LISTS OF THE BISHOPS OF DUNBLANE AND DUNKELD.[1]

A LIST OF THE BISHOPS OF DUNBLANE FROM 1150 TO 1466.

NOTE.—Bishops whose names occur in the Charters, etc., printed in this volume, or who are otherwise referred to, are marked by an asterisk.

LAURENCE, *c.* 1150. He appears in record for the first time in a bull of Adrian IV., dated 27 February 1155.

*SYMON or SYMEON appears first in record with Hugh, bishop of St. Andrews (who was consecrated in 1178), *Regist. Priorat. S. Andree*, 147. Other evidence shows that Gams cannot be far wrong when he places the accession of his successor as *c.* 1197.[2]

*JONATHAN, *c.* 1197. He died in 1210, and was buried at Inchaffray (*Scotichr.*, viii. 73). He may have been the same person as Jonathan, archdeacon of Dunblane in Symon's time (Northberwic, 7).

*ABRAHAM succeeded, presumably, immediately after the death of Jonathan, 1210. He was the son of a priest (Theiner, *Monumenta*,

OSBERT. See Cambuskenneth, No. 126. The date of his succession is doubtful. He died being professed a canon of Holyrood in 1231 (*Scotichr.*, ix. 48).

*CLEMENT, a Dominican friar, chosen apparently by the bishops of St. Andrews, Brechin, and Dunkeld, on the mandate of Gregory IX.: consecrated by William, bishop of St. Andrews, at Wedale, 4 September 1233 (*Chron. de Mailros*). We find him bishop in the present volume (Nos. LX., LXI.), in August 1234. He died, according to *Scotichronicon* (x. 11), in 1256: according to the *Chronicle of Melrose*, in 1258. I am not aware of any evidence to show which of these dates is more likely to be correct.

*ROBERT [de Prebenda] Dean of Dunblane. The earliest notice I have found in connection with the bishopric is in the *Register of Glasgow* (i. 166), where he appears as 'R. by divine permission elect of the church of Dunblane and canon of Glasgow,' 2 January 1258-59. He is still elect 22 August 1259 (*Cal. Pap. Reg.*, i. 367). A story of his intrigues with a view of being advanced to the see of Glasgow before he was consecrated for Dunblane is told in the *Chronicles of Melrose* (s.a. 1259). In the present volume we have what is the latest appearance (so far as I know) of Robert in Scottish record, 25 March 1283 (No. CXIII.).

He appears to have been an Englishman, and to have had property in the county of Nottingham. He was favoured by Henry III. at the request of his daughter, Margaret, Queen of Scotland (Bain's *Calendar*, i. 2395, 2440, 2443, 2657).

He died probably early in 1284.

*WILLIAM, abbot of Arbroath, elected *concorditer* by the chapter on the death of Robert. Objections to the regularity of the election seem to have been made, for William resigned into the hands of the Pope all rights derived from the election. The Pope thereupon provided him to the see. He was consecrated a few days before 18 December 1284 by Ordonius, cardinal-bishop of Tusculum. Letters announcing his appointment were sent to Malise, earl of Strathern, 'patron of the church of Dunblane' (Theiner, *Monumenta*, No. 284). In the present volume he appears in 1287 (No. CXVIII.). He took the oath of fealty to Edward I., 12 July 1291 (*Ragman Rolls*, 14).

He died probably early in 1296.

*ALPIN, canon of Dunblane. (He is probably the 'Alpinius,' canon of Dunblane, of No. CXVIII.) Elected *concorditer* on the death of William. The election confirmed by the Pope, who caused him to be consecrated by Matthew, cardinal-bishop of Porto. See letter dated 16 October 1296 (Theiner, No. 355). His rule was short. See next entry.

NICHOLAS, abbot of Arbroath, elected on the death of Alpin: resigned his rights to the Pope, who appointed him by the plenitude of apostolic

power: consecrated probably a few days before 13 November 1301 at the order of the Pope by Theodoric, bishop of Palestrina (Theiner, No. 369). He ruled for about six years.

NICHOLAS (de Balmyle), canon of Dunblane; elected *concorditer* on the death of Nicholas: election confirmed by the Pope: consecrated probably a few days before 11 December 1307 by Nicholas, bishop of Osti (Theiner, No. 386). He had been chancellor of Scotland. We find him bishop 24 July 1317 (Melrose, 384). He must have died soon after, fo we find Maurice, though in reality only 'elect,' appearing as bishop Dunblane in King Robert's Parliament at Scone, 5 December 131 (*Acts of Parliament*, i. 118).

*MAURICE, precentor of Dunblane and abbot of Inchaffray. On the death of Nicholas there was a disputed election and a long litigation at the Apostolic See (then at Avignon). Eventually Maurice and his rival resigned their rights into the hands of the Pope. In Scotland Maurice was spoken of as bishop of Dunblane in 1318; but at the Apostolic See the bishopric was considered void. In 1320 Edward II. of England petitioned the Pope to appoint Richard de Pontefract to Dunblane. It was not till 5 March 1322 that Maurice was provided by the Pope to the see. He was consecrated a few days later by Berengarius, bishop of Porto (Theiner, No. 443). Maurice died *c.* 1347.

*WILLIAM, canon of Dunblane, elected *concorditer* on the death of Maurice; but the Pope claimed that he had reserved the see to his own provision, yet, taking the wishes of the chapter into account, he provided William to the see (25 October 1347), and caused him to be consecrated by John, cardinal-bishop of Porto (Theiner, No. 576). He must have died at latest early in 1361. We find him in this volume, 11 April 1358 (No. CXXXII.).

*WALTER [de Coventre], Dean of Aberdeen, elected *concorditer* on the death of William. The Pope, having reserved the see, pronounced the election null, but himself provides Walter to the see, 18 June 1361 (Theiner, No. 644). He takes the oath of fealty to the new king, Robert II., 27 March 1371 (*Act. Parl.*, i. 181), and must have died soon

that see. MICHAEL (Ochiltree), dean of Dunblane, son of a priest and an unmarried woman, provided 22 June 1429 to the see of Dunblane void by the death of G[ullielmus]. He had been chief almoner of James I. (Eubel, *ibid.* and *Cal. Pap. Reg.*, vii. 546). He crowned James II., 25 March 1437.

*ROBERT (Lawder), on the death of Michael, provided 27 October 1447 (Eubel, *Hierarchia*, ii. 163).[1] He appears in No. CXLIX in the year 1461. D.

A LIST OF THE BISHOPS OF DUNKELD FROM 1178 TO 1452.[2]

NOTE.—Bishops whose names appear in charters, etc., contained in the present volume are marked with an asterisk.

**WALTER DE BIDUN*, chancellor of the king of Scotland (see Appendix, No. 1) was elected to Dunkeld in 1178. He seems to have died, perhaps in the same year, unconsecrated (*Chron. de Mailros*).

*JOHN I., 'the Scot,' was elected to St. Andrews in 1178; but failed to obtain possession of the see through the hostility of King William. Subsequently (the year is uncertain) he was elected *concorditer* to Dunkeld and confirmed by the Pope. He died in 1203, having on his deathbed taken the habit at Newbottle, where he was buried.

*RICHARD, 'clericus et cognatus regis [Willelmi],' succeeded in 1203. He died 'about Easter,' 1210.

*JOHN II. (de Leicester), archdeacon of Lothian. Elected 22 July 1211, and was consecrated before June 1212 (see Letters of Innocent III. (Baluze, ii. 648). He died 7 October 1214, and was buried at Inchcolm.

*HUGH (de Sigillo), clerk to the king. He succeeded apparently in 1214. He died in 1228. He is perhaps Hugh who witnesses No. XXII.

MATTHEW, chancellor of Alexander II.; died before consecration in 1229.

*GILBERT, chaplain to Bishop Hugh; appointed in 1229 (?); died 1238 (April 6), and was buried at Inchcolm.

*GEOFFREY (de Liberatione), canon of Dunkeld, postulated (as not born in wedlock) before 6 September 1236, and consecrated soon after. He died 22 November 1249, and was buried at Dunkeld.

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[1] *Thomas*, bishop of Dunblane, 23 July 1459, in the *Great Seal Register*, book vii., No. 146, would seem to be an error.

[2] The authorities for the statements in this list will be found in a series of papers on the Bishops of Dunkeld in the *Scottish Historical Review*, January, April, July, October, 1904.

*Richard (de Inverkeithing), chamberlain of the king, elected in 1250; consecrated after 2 August 1251; died 16 April 1272.

*Robert (de Stuteville), 1274-83 (see notes on No. xc.). Hugh (de Strivelin) elected on the death of Robert; died at the papal court while prosecuting the business of his election. William, dean of Dunkeld, elected by chapter; confirmed by the Pope and consecrated, by his orders, before 13 December 1283. Matthew (de Crambeth), dean of Aberdeen, elected by chapter; confirmed and consecrated by Nicholas IV. 13 April 1288. He died shortly before 28 August 1309.

*William (Sinclair), elected soon after the death of Matthew; but a long litigation ensued at the Apostolic See, and his confirmation and consecration were not till about 8 May 1312. In Scotland he had in temporal matters acted as bishop as early as 24 February 1309-10. Died 27 June 1337. He appears in this volume (A.D. 1318) in Nos. CXXVI., CXXVII.

Richard (de Pilmor), elected shortly after the death of William. After long litigation at the Apostolic See, provided by the Pope 5 July 1344. Died, apparently, in 1347. Duncan (de Strathern), appointed by papal provision 15 October 1347. Died in 1354 or early in 1355. John, provided 18 May 1355. Died, apparently, in 1369. *JOHN* (de Carrick), elect of Dunkeld in 1370, but apparently failed to obtain confirmation. Michael (de Monymusk), provided about July 1372; died 1st March 1376.

*John (de Peebles), chancellor of Scotland, appointed in 1377 or early in 1378. He is referred to in No. CXLI. Died probably in 1390. Robert (de Sancto Claro), translated from Orkney to Dunkeld 1 February 1391; died apparently in 1398. Robert (de Cardeny), provided 24 November 1398; died 17 January 1436-37. *DONALD* (Macnachtane), elected 1437, died while on his journey for confirmation.

NOTES ON THE CHARTERS, ETC.

I

There is no good ground for doubting that this is an honest, though ungled, transcript of a genuine charter of Bishop Symon (see List of he Bishops of Dunblane, p. 258). There could be no object, so far as re can see, in the forging of this document; and, setting on one side ome corruptions of the text, the style, more particularly that of the hreatenings and blessing at the close, is quite in keeping with the time. he witnesses also tend to confirm the genuineness of the charter. See elow.

Personis sacerdotibus. It is not easy to offer any reasonable conjecure for the emendation of the text here.

Huic Isaac. It is of interest to observe that the first bull of Innoent III. (No. VIII) is addressed to 'J. heremite et fratribus.' Perhaps J' is to be identified with Isaac. The expression 'huic Isaac' is of a ind that is not unfamiliar to charter scholars. Thus, in a charter of lobert, bishop of St. Andrews (*c.* 1144), the bishop makes known hat he has made 'hunc Mainardum Flandrensem' head of the burgh *Acts of the Parliaments of Scotland*, i. 75). Again, the Swinton charters f King David I. are granted respectively to 'huic meo militi Hernulfo' nd 'Arnulfo isti meo militi.' The originals are in the treasury at Durham; and the charters will be found printed in Sir A. C. Lawrie's *Early Scottish Charters* (pp. 79, 80). The demonstratives have, in the pinion of Dr. J. Maitland Thomson, the same force as the 'lator preentium' of later record. Mr. H. J. Ellis, of the MS. Department of he British Museum, speaks of this use of *hic* and *iste* as 'a common ormula' in early charters; and considers that thereby was indicated hat the grantee was present in the court of the grantor. See the disussion in the *Athenæum* (3 February 1906).

Dato jure propriæ ecclesiæ. This refers to the general rule that when odies were interred in other places than in the church or churchyard f the parish the mortuary dues should nevertheless be paid to the arish. The sense is illustrated by the bull of Celestine III. to Lindores, here we read that there should be freedom of burial in the abbey 'salva amen justicia illarum ecclesiarum a quibus mortuorum corpora assuuntur' (*Chartulary of Lindores Abbey*, p. 105). The same language will e found in the bull of Innocent IV. to the Priory of St. Andrews (*Regist. Priorat. S. Andree*, p. 105), and in other similar papal letters. See also Jo. x.: 'Salva rectitudine ecclesiarum de quibus corpora mortuorum ssumuntur.'

Malgirke canonico. Attention may be called to Malgirk of Mothel itnessing the early charter of Earl Gilbert, No. III., and also No. XII. ee the note on No. III. Perhaps he was a canon of Dunblane.

Sythakh kelede. In a charter of Bishop Symon of Dunblane to nuns of North Berwick among the witnesses are 'Sithach et Malco Kaledeis de Mothel' (*Carte Monial. de Northberwic*, 7).

Ricardo capellano Comitis. Compare the witnesses of No. II., whic also in the time of Bishop Symon. D

II

Gillenenam. His name is variously spelt; *Gillenefe* of No. XIX. perh best represents the pronunciation. He occurs down to *c.* 1210 (XXVIII.). Like the Stewards of Scotland, he is usually styled *dapife* first, *senescallus* later. His son, colleague (apparently) and succes Malise is once (No. V.) styled *dapifer*, elsewhere *senescallus* always. [M. T.

III

Jonatha episcopo. See List of the Bishops of Dunblane, p. 258.

Johanne Archidiacono de Strathern. See Nos. VI., IX., X., and *Chartul of Lindores*, p. 165. He seems to have been succeeded in the ar deaconry by Gilbert whom we find in the time of Bishop Abraham.

Malgirk de Mothel. See No. XIII. Perhaps the same person as 'M girhe canonicus' of No. I. In Bishop Abraham's time there is Malkirg, prior of the Keledei of Muthill (*Northberwic*, 12).

Thoma decano. Dean of Dunblane, or, perhaps, a dean of Christiani 'Thomas dean' witnesses a charter of Bishop Symeon to the nuns Northberwick (*Northberwic*, 7). See also No. XIII.

Abraham Capellano Comitis. A frequent witness of the early chart of Earl Gilbert. He was perhaps Abraham, bishop of Dunblane at later date. See List of the Bishops of Dunblane, p. 258. D.

IV

Briccio persona de cref. Brice, parson of Crieff, is a frequent witn both in the present volume and in the *Chartulary of Lindores*. His s Malise, appears in Nos. XXXV., XLVII., and in *Chartulary of Lindores* (N XLIII., XLV., XLIX.). A parson (or rector) was not necessarily in h orders; but even if Brice were in holy orders there would be no scru at the appearance of his son in a record like the present. D.

V

Dispensario. A functionary who appears only here and in No. XXXI in each case along with the *Rennarius* (see Introduction), to whom was perhaps subordinate. [M. T.]

VI

Rcardo (*Ricardo*) *de prebenda clerico meo.* He was 'clericus et co natus domini regis,' and succeeded to the see of Dunkeld after the dea of John in 1203 (*Chron. de Mailros*). D.

Comite Duncano justiciario. He appears to have been the first justiciar of Scotland proper (as distinguished from Lothian), though not so styled except in two charters which exist only in untrustworthy copies. Perhaps he obtained the office in exchange for that of *Magnus Judex in Scocia* (*Reg. Prioratus S. Andree*, 117), which phrase Skene, however, regards as merely a translation of Maormor (*Celtic Scotland*, iii. 62). At all events, he was justiciar from about 1173 to near the end of his life, except for a short time, perhaps *c.* 1195, when Roland of Galloway is styled *justiciarius* twice, and Earl G. (probably Gilbert of Strathearn) once.

Henrico comite Atholie. Third earl of Atholl; succeeded before 1198, died before 1211.

Roberto de Londoniis. No doubt King William's natural son, who witnesses royal charters from 1195 or earlier, and was a benefactor of the Abbeys of Dunfermline and Dryburgh. Sometimes there is a difficulty in distinguishing him from a slightly earlier namesake and perhaps relative, lord of Lessudden, and a benefactor of Melrose and Dryburgh Abbeys. 'Robert le Bastard' also had property in Lessudden, and his grant therefrom to Dryburgh was confirmed by Robert de Roxburgh, his nephew, indicating that he died without issue.

Malcolmo filio comitis Dunecani. A witness also to No. XVIII., and after his succession to the earldom in 1204) to Nos. XXIV., XXV., and Appendix No. IV. B. He founded Culross Abbey, and died 1228.

Johanne de Hastinge. Lord of Dun in Forfarshire; sheriff and forester of the Mearns, *c.* 1178; alive 1210. His son David became earl of Atholl in 1242.

Adam de Syreis. Perhaps of the family of the earls of Fife (*Scots Peerage*, iv. 5); he took his surname from the lands of Ceres in Fife, and is a witness to many royal and other charters, of which the present is perhaps the latest in date. His son and successor Duncan (see note to No. XLVII.) left daughters only, one of whom, Margaret, married Michael Scot, ancestor of the Balwearie family; his descendants owned a third of Ceres till the beginning of the seventeenth century.

Henrico de Graham. Second of the Grahams of Dalkeith, a witness to several royal charters towards the end of the twelfth century; in one of which the king styles him *vicecomes meus*, apparently of Edinburgh.

Henrico Revel. A witness to several royal charters a little before and little after 1200. Married a daughter of Orm son of Hugh, first lay lord of Abernethy, with whom he got the lands of Cultrach, including apparently the site where Balmerino Abbey afterwards stood. He was succeeded by his nephew, Richard. [M. T.]

VII

Johannes . . . Episcopus Dunkeldensis. This is John, 'cognomine Scotus.' See List, p. 261. D.

See what is said in the Appendix on the Abbey Lands, as to the Abthane of Madderty; which suggests a doubt whether this grant may

not be posterior to that by Earl Gilbert and its confirmation by the king (Nos. xi. and xx.). It cannot in any case be later than 120[illegible] when the grantor died. The confirmations by succeeding bishops down to Bishop Hugh are likewise in favour of the 'brethren' not styled canons.

W. de Lockestre perhaps derived his surname from Loygiastre Perthshire (Bain's *Calendar*, ii. No. 1108), which I cannot identify.

[M. T.]

VIII

This particularly interesting bull makes plain that the head and brethren of the house of St. John of Strathern had besought the Pope's protection. The probability seems to be that the foundation of the house of Austin Canons had not yet reached Rome. See Introduction (p. xxvii).

Innocent was elected on the 8 or 9 of January 1198, and enthroned on 22 February following. The date accordingly is 4 December 1200.

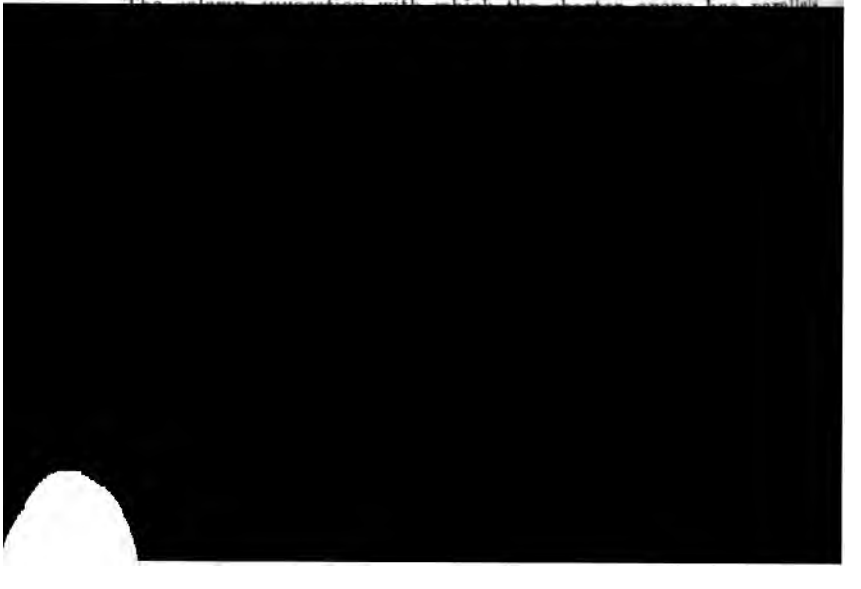
J. heremite. Possibly the letter 'J' is the first letter of 'Isaac' (No. i.).

Straden. This word, for 'Stradern,' is only one out of hundreds of errors in the forms of Scottish place-names to be found in bulls and other writs emanating from the Roman scribes. See the paper on the subject in the *Proceedings of the Society of Scottish Antiquaries* (1904-5), pp. 379-87.

On the use of the red and yellow silk for the attachment of the *bulla*, see note on No. cvii. D.

IX

This great charter was granted between (probably) the 25 March and the 8 December A.D. 1200, when the thirty-fifth year of King William's reign closed.



arl of Fife, with William, bishop of Glasgow (24 September 1200—0 September 1202: *Northberwic*, 7).

Reimbaldus abbas de Scon. Rainbald, cellarer of Holyrood, succeeded hrough court influence) in 1198 to Robert who resigned (*Scotichr.*, viii. 9). He witnesses Nos. xvi., xvii.

Robertus abbas de Dunfermlin. This is Robert of Berwick, who ucceeded in 1198 on the death of Erchinbald (*Chron. de Mailros*, s.a.).

D.

There is nothing to show whether this was granted before or after October 1200, and therefore we have no means of determining whether ilchrist died in 1198 or 1199. [M. T.]

X

This charter obviously comes soon after the foundation charter. The ule of St. Austin is expressly mentioned; and the confirmation is of rants expressed by earl Gilbert in the foundation charter. There is nly one point that seems to deserve special notice. The somewhat ndefinite language of the earl's charter (No. ix.) as to his assent being ecessary in electing a head of the house is interpreted to mean that he head should be elected by the common consent of the brethren 'et er assensum comitis et heredum suorum.'

Johannem archidiaconum nostrum. He succeeded Gilbert in the office f archdeacon. We find him again in Nos. xi., xxv.; and he was succeeded by another Gilbert.

Martinum personam de Muithauard. This place is Moydeuard of o. xxxix. now Monivaird.

Malisium personam de Struuin. Strowan adjoins Monivaird. D.

This closely resembles No. ix. in appearance; see the facsimiles. [M. T.]

XI

The date cannot be later than 1200; see note on No. xvi. [M. T.]

XII

This differs from No. xi. in spelling only; but in handwriting the vo are very unlike. Mr. H. J. Ellis, of the British Museum, is isposed to think that in such cases the second charter is to be regarded a later reissue of the first. [M. T.]

XIII

Malgirk de Mothel. See note on *Malgirhe canonico* (No. i.).

Thoma decano. See note on No. iii. D.

This is the first charter to which Earl Gilbert's second seal is appended. It is to be noted that the nine witnesses were all witnesses also to the previous grant of the same church to the hermits; of the four who attest No. III. and not No. XIII., one (Gilchrist, the earl's son) had died in the interval; two others (Gillenenam and Duncan son of Malise) were alive, but presumably not present when No. XIII. was granted; of the fourth (Malmure, the bishop's chaplain) we know nothing. Compare Nos. XIV. and XLVIII. and notes. [M. T.]

XIV

This is a repetition of No. IV., as XIII. of No. III.; the witnesses in this case being identical with those of the earlier charter. [M. T.]

XVI

This and No. IX. being both dated 1200, the one bearing the first and the other the second seal of Earl Gilbert, it is evident that the change of seals took place in that year. [M. T.]

XVIII

Ricardo de prebenda. He, who appears here as one of the *clerici regis*, is probably the same as the Richard *de prebenda* 'clericus et cognatus domini regis (Willelmi)' who succeeded to the see of Dunkeld in 1203 (*Chron. de Mailros*). See p. 261. D.

This being granted not to the canons but *viris religiosis*, and being a confirmation of three of the five churches named in No. IX., might have been supposed prior to the latter. But Alan son of Roland witnesses this as constable, which he could not have done before Roland's death on 19 December 1200.

Willelmo Giffard. Second of the Giffards of Yester: witness to

lfo de Camera. Both he and Herbertus de Camera, alongside of
ıe attests No. xx., are occasional witnesses to charters of William
n during the greater part of his reign; but nothing is known of
mily or local connections, except that a son of Radulf had an
: in the churches of Campsie and Altermony in the Lennox. The
e de Camera (Chalmer or Chalmers) has always been an honour-
e in Scotland.

co de Kinros. Attests two other charters of William the Lion
the end of his reign; *Henricus* de Kinross, who may be the
ɔrson (see variant in footnote) attests three others of the same
An earlier bearer of the surname, Gillebert de Kinros, attests a
rews charter before 1170.

do filio Hugonis. A frequent witness to royal charters during the
ɔnty years of William's reign. One contemporary of the name
ɔo half knights' service to the castle ward of Dover; another held
ds of Wester Duddingston, which he resigned to the monks
o; the latter was probably son of Hugh de Villa Dodini who
ıess to a Holyrood charter. The present Richard cannot with
y be identified with either.

ɔpo marescallio. Ancestor of the Keiths, earls Marischal; he
the heiress of Keith-Humbie.

mo de Moravia. Witness to a royal charter to Holyrood in
lord of Petty. A little earlier he appears as William son of
ı son of Freskin.

ndro filio Thore. A witness to several royal charters for a short
fore 1200. Nothing more seems to be known of him. [M. T.]

XIX

: before the Bull of 1203, in which it is confirmed. [M. T.]

XX

ɨmo Episcopo Glasguensi Cancellario meo. William Malvoisine who
ɔn a 'clericus regis.' He had been archdeacon of St. Andrews,
s made Chancellor 8 September 1199 (*Chron. de Mailros*). He
ɔcted to Glasgow in October 1199 (Hoveden, iv. 97); and was
ated at Lyons by the archbishop of Lyons (Reginald de Forez) by
ıd of Innocent III. on 24 September 1200 (Hoveden, iv. 139).
translated to St. Andrews 20 September 1202. The date of the
is thus approximately fixed. It is 5 April in 1201 or 1202.

D.

ɔpo de Valoniis. Lord of Panmure; chamberlain from 1195 or
to his death in 1215. Witnesses also No. xxiv. and (not as
ɾlain) Appendix No. II.

Willelmo Cumin. Became Earl of Buchan, after 1211 and before 1214, in right of his second wife. Founder of the Abbey of Deer. Died 1233. A witness to a very large number of royal charters from 1185 or earlier to his death; including Nos. XXII. and XXIV. and Appendix No. II. Justiciar of Scotland from before 1207 up to his death or nearly so.

Thoma de Colville. Lord of Oxnam and Ochiltree; a benefactor to Melrose Abbey. A witness to royal charters from before 1198. Died 1219.

David de Haia. Second lord of Errol; a benefactor of Coupar Abbey, and also of Inchaffray, as appears from No. LXVIII. Sheriff of Forfar before 1214. Died between 1237 and 1240.

Philippo de Lundin. Witness also to No. XXIV. and to many other royal charters from before 1195 to after 1204. Presumed to have been son of Walter son of Philip the chamberlain, who had a charter of Lundin in Fife from William the Lion early in his reign, and took his surname from the lands. The Lundin family ended in an heiress in the seventeenth century; she married a Maitland, and the heiress of the Maitlands of Lundin carried the estate to her husband, John Drummond, created Earl of Melfort.

Thoma hostiario. Also styled *de Lundin* in some charters. He was son of Walter de Lundin, and therefore probably brother of the preceding witness. He held lands in Mar, and was a benefactor of Arbroath Abbey; he is also said to have possessed Lundie in Forfarshire. He was father of the celebrated Alan Durward. [M. T.]

XXI

It is plain that in the petition from the monastery, which had its answer in the present Bull, the substance of Earl Gilbert's Great Charter had been exhibited; but there are additions. The church of Dunning must have been granted by the earl in the interval. It may be noted as of interest that the dedication of this church is not mentioned. After

he payment of a bezant, see *Chartulary of Lindores*, p. 265.
cent III. was at Ferentino from 14 May to 15 September in the
03 (Mas Latrie, *Trésor de Chronologie*, col. 1114). D.

XXII

lmo de Boscho. Presumably he who was made Chancellor of the
8 June 1210 (*Chron. de Mailros*). As Chancellor of King William
witness of No. xxx.; and as Chancellor under Alexander II. he
ness of Nos. XXXVI. and XLI. He resigned the chancellorship in
nd died in 1231. D.

he two churches here confirmed to the canons, Dunning was
l to them in time to be included in the Papal confirmation of
Monzievaird does not appear there. The probable date of this
therefore is 1203 or 1204; with which the witnesses agree.
ero capellano. Witnesses royal charters from before 1194. Con-
d bishop of Glasgow 1208.
ne clerico. Sometimes styled *de Sigillo.* A frequent witness to
William's charters throughout his reign; but probably there were
more of the same name, whom it is now impossible to distinguish.
s Hastenge. Had from King William a gift of the lands of
doors in Tweeddale, which he afterwards gave to Arbroath
[M. T.]

XXIII

dus. See List of the Bishops of Dunkeld, p. 261.
ico Archidiacono nostro. He served also under Bishop Hugh
XXVI., XLVIII., XLIX.); but under Bishop Geoffrey we have William
nhame as archdeacon (No. LXV.).
rto filio Archidiaconi de Stratheryn. Another son of an ecclesiastic
pears in this volume is Arthur, son of Abraham, chaplain of Earl
, and probably afterwards bishop of Dunblane (No. XXVI.).
D.

XXIV

lmo Episcopo sancti Andree. William de Malvoisine. See note
XX.
ne de Mortemer Priore de May. Hugh de Mortemer was prior of May
the death of Richard, bishop of St. Andrews, who died in 1178
Scon, 30). His appearance here suggests a readjustment of the
n Dr. John Stuart's list of the Priors (*Records of the Priory of*
of May, pp. lx, lxi). Our charter is certainly before the
nce of John, prior of May, who was present at a synod in Perth
(*Miscellany of the Spalding Club*, vol. v. p. 209). And we have to
rior Ivo between Hugh and John. The presence here of Malcolm,

earl of Fife, shows that the charter must be dated after the death o Earl Duncan, who died in 1204 (*Chron. de Mailros*). Thus the possible limits of the charter are not very wide. D.

Waltero Olifarde. Also witness to Appendix No. II. The second of the Scottish Olifards. Appears first *c.* 1170; a hostage for William the Lion, 1174; Justiciar (presumably of Lothian), *c.* 1180; alive 1223, but rarely appears in record in his later years.

Willelmo de Valoniis. Witness also to No. XXIX. Son of Philip de Valoniis (No. XX. note), whom he succeeded as chamberlain. Died 1219. He was probably the same William who married Loretta daughter of Saher earl of Winchester. [M. T.]

XXV

To the rights conveyed in this charter, Earl Gilbert at a later period added that his bailies, seneschal, and deemster should hold the courts for the prior and canons, reserving as before *justicia corporum* to himself and his heirs (Nos. XLIII., XLIV.). Dr. Maitland Thomson has pointed out that the 'Sair Law,' used by the earls of Strathern for executions, lies on the slope to the north of the abbey, and is clearly visible therefrom.

A charter (A.D. 1266) of Alexander, son of Walter, Steward of Scotland, grants like privileges to the monastery of Melrose in his lands in Kyle. The body of a criminal condemned in the court of the monastery was to be delivered to his bailies, but the chattels of the condemned were to go to the monks (*Lib. S. Marie de Melros*, i. pp. 286, 287).

Gillecrist. Though this name appears among the sons of the earl in the original charter, one ventures with some confidence to say that it is an error for Gilbert. Gillechrist, the earl's eldest son, had died some two years before the foundation of Austin Canons. The eldest son would not be named last. But it is possible that at this date there was another son of the earl, and that this son was called 'Gillechrist.' D.

XXVII

G. archidiaconus. Gilbert, see No. xxxi. D.

The date is later than xxv., G[ilbert] having now succeeded John as archdeacon; but before 1210, Abraham being still the earl's chaplain.

Philippo de Melkinh.—The church of Melginch (St. Martin's) was granted to Holyrood Abbey by David Huviet, Alexander and Philip his sons being witnesses. The latter may be the Philip of the present charter, and the same with Philip Uvieth, who witnesses a grant by Swan son of Thor to Scone Abbey. The surname was borne later by Duncan de Melginch (No. LXIII. below), and by Stephen de Melginch (*Liber de Scon*, No. 116). If *Balursin* of the last-quoted charter is Balhousie (in 1422 *Balulsi*), we may infer that the family later on dropped their local surname, and, resuming their original patronymic, became the Eviots of Balhousie, who subsisted down to the close of the sixteenth century.

Ricardo milite de Kenbuc. Kinbuck is a few miles north of Dunblane. This Richard appears as *Ricardus miles* in Nos. XXX., XXXI., LV., and LVI., and in No. LVIII. the earl styles him 'dominus R. filius Lugan miles meus.' He was brother of the Countess Ysenda, Earl Gilbert's second wife (No. XLVI.). Joachim de Kenbuc is a witness to Nos. LXXIII., LXXVI., LXXXVII., and XCV. *infra*, and to *Lib. Ins. Mis.*, Appendix No. 12 (where his name is printed Knibet, but in the original charter it is Kinbuc); and Alan de Kynbuk witnesses No. CXVIII. below. The proof of the identity of 'Ricardus de Kenbuc' with 'R. filius Lugan' is found in a charter granted to the Abbey of Cambuskenneth by Malcolm le Dromond, Lord of Mar, in 1395, ratifying gifts of parts of the lands of Cambushinnie made to that Abbey by his predecessors, 'Richard son of Luguen' and 'Joachim de Kynbute.'

Ricardo Uvieth. Witness to a charter to the Abbey of Scone a little later than the present, and to a royal charter granted at Scone in 1233.

Galfrido de Gaisk. Brother of Sir Richard and of the Countess Ysenda (see above). It is said that by marriage with his heiress the Murrays of Tullibardine obtained the lands of Trinity Gask, which they held for several centuries. [M. T.]

XXVIII

A. Dunblanensi electo. This charter is soon after the death of Bishop Jonathan in 1210. See p. 258. D.

XXIX

Date: between June 1211, when William de Bosco became chancellor, and December 1214, when William the Lion died.

Olivero capellano. He appears only during the last years of King William; perhaps not before 1207. [M. T.]

XXX, XXXI

These two charters were obviously granted at the same time.

In proprios usus suos. The fullest grant of a parish church which could be given. The whole revenues of the parishes were appropriate to the monastery (which was to provide for the duties of the parishes), always saving the bishop's procurations and synodals—*saluis episcopalibus nostris*—an expression which in No. XXXII. has its equivalent in *salvo jure episcopali.* D.

XXXII

Johannes . . . Dunkeldensis Episcopus. See p. 261. He was John II.

J. priori. See p. 249.

Duncano decano Atholie. Presumably dean of Dunkeld. We have no certain appearance in this diocese of 'deans of Christianity' at this period. But see Notes on No. LIX. D.

XXXIII

Willelmo, Abbate de Scona. William seems to have succeeded Reinbald. We find 'W.', perhaps the same, abbot of Scone as late as 1225 (*Lib. de Scon*, No. 83). D.

This and XXXIV. are both of Bishop Abraham's time, and therefore after 1210, but before 1219, when they are both confirmed (No. XXXIX.) [M. T.]

XXXV

Date: probably early in Alexander II.'s reign, certainly before 1222, as appears from the omission of the regnal year and the use of the first person singular. [M. T.]

istro Roberto de Raperes laue, Magistro Johanne de hetone. These ppear to be the same as 'Magistro Roberto de Rapellis' and ine de hetun' in charters of the chapter of Dunkeld and of Bishop in the *Chartulary of Lindores* (Nos. XXXIII. and XXXIV.). They again in the present volume in No. XLVIII. Master Robert u appears in *Lib. de Scon.* (No. 83).

ieo decano. See No. XLVIII., and the two charters in the *Chartulary lores*, cited above. D.

XXXVII

land reclaimed by the canons before 1218, and here granted to n property, may plausibly be identified with the Abbey close of mes, and that with the land round Inchaffray still owned by Lord ill as heir of the Lord of Erection. It is between five and six a extent. [M. T.]

XXXVIII

notes on XLII. [M. T.]

XL

'ero filio Alani. Third High Steward of Scotland; succeeded her 1204; Justiciar of Scotland from 1232-3 till his death in

ico de Baileyhef. Chamberlain of Scotland from 1223 or earlier break of some years) to his death at 'St. James' in Spain in A large landowner both in England and Scotland, his wife Lora been one of the heirs of the De Valoniis family. Of his parent- ferent accounts are given; Bain's *Calendar of Documents*, i. 2, suggests that he was a son of another Henry, who appears in in 1199 as a follower of the Count of Flanders.

ero de Fontibus. Witness to a charter by John de Normanville of Maxtone, Roxburghshire, to Melrose Abbey. A 'Carta Walteri tibus' was in the Scottish Treasury in 1282. He, or a contem- and namesake, was Lord of Rolesham (Rousham), co. Oxford, alive 1234.

ico de Strevyllyn. So called to distinguish him from another son of Earl David, Henry de Brechin. The former Henry to have left no succession (see Fraser's *Stirlings of Keir*).

ine de Haya. Probably son of William de Haya, first of Erroll; to many charters of Alexander II.; sheriff of Perth 1226 and He was first of the Hays of Naughton in Fife.

ero Cumin. Second son of William Cumin earl of Buchan. earl of Menteith in right of his wife in 1233 or 1234. Died

Alexandro de Setona. Witnesses also Appendix No. IV.B. L
Seton; son and heir of Philip de Seton; frequently occurs in
throughout the reign of Alexander II.

Willelmo de Lyndesay. Lord of Lamberton; sheriff of Be
justiciary of Lothian; succeeded his father, Walter, 1221.
c. 1247. [M

XLII

Date: after No. XXXVIII., which it confirms, but before the e
of the priory into an abbacy; probably after Earl Saher's depart
the Holy Land, but before the news of his death had arrived
occurrence both here and in No. XXXVIII. of William de Selfor
was the steward of the De Quincy estates in Scotland, as appear
the *Dunfermline Register* and the Brackley Charters at Ma
College, Oxford), and William de Fore indicates that the two c
are not far apart in date. Morinus de Kyndelouth is probably th
as Morinus le Marr of No. XXXVIII.; he appears later (No. LX
Earl Roger's steward. Whether he can be regarded as connecte
the Kinloch family seems doubtful; see *Scottish Historical Rev*
January 1905.

Everardo de Trumpetone. See note on Appendix No. IV.B.
[M

XLIII, XLIV

See No. XXV.

Roberto priore eiusdem Loci (*sc.* Scone). The name of this p
Scone does not appear in *Liber de Scon.* But see *Regist. Prio*
Andree, p. 393.

XLIII and XLIV

Date: apparently later than No. XXXIX., but before the erection
Abbacy. The two charters, practically duplicates, are in a simil
not identical handwriting. [M.

XLV

The *abbot* of Inchaffray appears for the first time. See p. 250.

XLV, XLVI, and XLVII

All these fall between the erection of the Abbacy and Earl Gi
death. [M.

XLVI

Macbet judex. Also occurs in Nos. XLVII. and LII. [M.

XLVII

Though the rubric of the Register runs, 'Confirmatio comitis Roberti,' ıe grantor of the charter styles himself simply 'Robert, son of Earl ilbert of Strathern.' Robert claims to be 'patronus domus.'

Hugonis Abbatis de sancto seruano. That is, abbot of Culross. Hugh, ho had been prior of Kinlos, was the first abbot of Culross, to which ace a colony of monks came from Kinlos, when founded by Malcolm, ırl of Fife, in 1217 (*Chron. de Mailros*). In 1218 Hugh, with the abbots ' Melrose, Neubotle, Cupar, and Kinlos, visited the papal legate at ork (*Ibid.*). D.

Duncano filio Ade militc de Fiff. Either Duncan de Syreis (whose ther, Adam (No. VI., above), is sometimes styled *miles* de Syreis), or erhaps a son of Adam, brother of Earl Duncan (*Scots Peerage*, iv. 6). [M. T.]

XLVIII

This charter is a repetition of No. XXXVI., save that while No. XXXVI. granted to the canons, this is granted to the abbot and canons. Both ıarters are originals in the collection of the Earl of Kinnoull. The itnesses are mainly the same. D.

As to repetition of a grant at a later date with the former witnesses, ıe note to No. XIII. If, as is likely, Adam parson of Forgrund and braham the clerk, of No. XXXVI., are to be identified with Adam de rebenda and Abraham the chaplain, of this charter, then the two sting clauses differ only in the omission of Uviet parson of Aberdalgin ı the later writ. [M. T.]

XLIX

Gilleberto capellano de Aberlauedy. Aberlady, on the coast of Hadding- ınshire, was, like Abercorn, Cramond, Preston, and Bonkil, one of the ırishes south of the Forth belonging to Dunkeld. In another charter ' Bishop Hugh of Dunkeld we find 'J. vicario de Aberleuedi' among ıe witnesses (*Regist. Priorat. S. Andree*, p. 297). The parish is the Aberlefdi' of Boiamund's account, A.D. 1275, 1276 (Theiner's *Monumenta*, p. 112, 116), where the vicarage was rated at twenty marks. It would ɔem that it was served by a chaplain before the appointment of a erpetual vicar. D.

This being a renewal of No. VII. is granted to the 'brethren,' and here is nothing to show whether it is prior or posterior to the erection f the Abbacy. But it is placed here on account of its resemblance in he testing clause to No. XLVIII., specially in the points in which the ıtter differs from No. XXXVI. The inclusion of Bernard chaplain of

Kergill among the witnesses may have been due to his having been the only one of the witnesses to No. VII. who was still available.

[M. T. —]

L

Canum et conretum. These words are associated together in the *Chartulary of Lindores*, where (see pp. 250, 251) some attempt is made to explain the terms. 'Cane' is used frequently for an allowance in kind; and 'coneveth' was probably some allowance in food. [—].

This has no witnesses. But it is natural to suppose that both it and No. XLVIII. were granted not long after the erection of the Abbacy.

[M. T—]

LI and LII

Both of these fall between Earl Robert's accession and Bishop Abraham's death; an interval which cannot have been very long if the statement in Pope Gregory IX.'s Bull, that the see of Dunblane had been vacant for ten years before Bishop Clement's consecration in 1233, is to be taken as approximately correct. [M. T—]

LIII

Natiuos. On neyfs, see *Chartulary of Lindores*, p. lvii.

Thoma de Striuelin, Archidiacono Glasguensi. Thomas Stirling succeeded Thomas, parson of Lillisclive, as archdeacon of Glasgow in 1222 (*Chron. de Mailros*, 140). He appears as chancellor of the king in No. XLIV. (13 August 1226) and on 6 October 1226 (*Regist. de Dunfermelyn*, No. 213). He died in 1227 (*Chron. de Mailros*, 141). His appointment as chancellor, on the resignation of William de Bosco on account of infirmity, is assigned to the year 1226 (*Scotichr.*, ix. 46). He had been clerk to his predecessor

LIV

Thoma de Striuelin, Cancellario. See Notes on No. LIII. D.

Willelmo de Muntfichete. William the Lion granted Cargill in Perthire to Richard de Muntfichet. This William was presumably Richard's ccessor. The lands passed with an heiress in the fourteenth century the Drummonds, and to the heir of line of that family they still long.

Willelmo de Bruse. Son of William B. third lord of Annandale, d younger brother of the Robert who married the co-heir of Earl avid.

Waltero Bysete. Lord of Aboyne and of Stratherrick. Died in Arran 51.

Clonin. Clunie in Stormont, a favourite hunting-resort of the kings Scotland down to the sixteenth century. [M. T.]

LV

Ricardo Milite meo. See No. LVIII., where we find 'R. filio lugan ilite meo.' On the expression *miles meus*, see *Chartulary of Lindores*, lxxv. He is perhaps the same who appears in No. LVI.

R. decimario. A tithe-collector; possibly the officer of the abbey of chaffray, who was given a place in the household of the earls of athern. See No. XVI., and Introduction, p. xxix. D.

This charter and the three which follow are evidently later than s. LI. and LII. None of them can be dated within narrower limits n those indicated on the margin; but I have made a mistake in cing LV. first of the series: Henry son of Tristram, who is a ness to Nos. LVI., LVII., and LVIII., was dead before LV. was granted, l it should have been placed last, not first, of the four.

de Moravia. Also a witness to LVIII.; and he may be the *Gilbertus Moravia* of LXXXVIII. He is not to be found in the pedigree of that strious family, but he is the first of the surname to appear in athearn. Can he have been father of Malcolm de Moravia, who was earliest undoubted ancestor of the Tullibardine family?

W. Clemente. Brother of Theobold son of William son of Clement . LVI). [M. T.]

LVIII

R. filio Lugan. See note to No. XXVII. [M. T.]

LIX

J. miseracione divina ecclesie Dunkeldensis minister humilis. This is parently Bishop Gilbert; and Bishop Geoffrey (Galfridus) refers to

this confirmation of Gilbert's in No. LXV. For Bishop Gilbert, see p. 261. After the sheet containing the English abstract of this charter (p. 197) had been printed off, it was discovered that both in the title and text the word 'Dunblane' had been incorrectly given for 'Dunkeld.' The reader is requested to make the correction.

M. decano. Compare *Matheo decano* in Bishop Hugh's time (No. XLVIII.), and in *Chartulary of Lindores*, Nos. XXXIII., XXXIV. Was M. dean of the cathedral of Dunkeld? In *Lib. de Scon* (No. 83) we find in the year 1225 a document witnessed *inter alios* by H., bishop of Dunkeld and 'M. decano de Retref' (Rattray). D.

LX

G. dei gratia Dunkeldensis Episcopus. Bishop Gilbert, see List, p. 261.

I. et Ph. John, the second abbot of Lindores (*Chartulary of Lindores*, p. 303), and Philip, abbot of Scone, who is found in record in 1231, and on to 1241 (see *Lib. de Scon*, p. x).

Ejusdem sedis Patroni. The earls of Strathern are frequently referred to as 'Patrons' of the bishopric of Dunblane. In Theiner's *Monumenta* (Nos. 284, 355, 386, 576), we find papal letters addressed to the earls as 'Patrons' of the see. This was probably due to the large share which was taken by Earl Gilbert in endowing the see. But Mr. Lindsay (Introduction, p. xxxviii) considers that Earl Ferteth had a principal share in the creation of the diocese. D.

LXI

Domino S. . . . episcopo sodorensi. Simon, of Argyll (Erchadiensis). The *Annals of Iceland* relate that Simon was consecrated in 1226. But the *Chronicle of Man*, when referring his death to 28 February 1247, says it was in the eighteenth year of his episcopate, which would make his consecration in 1229 or 1230. He was consecrated, probably at Bergen, by Peter, archbishop of Trondjem (see Munch's Notes to the *Chronicle of*

LXIII

Abbatis de Aberbrothok et de Maii prioris. The abbot of Arbroath in 237 was Ralph de Lambley, who became bishop of Aberdeen in 1239. he prior of May was perhaps Ralph, or possibly John, see Dr. Stewart's reface (p. lxii) to *Records of the Priory of the Isle of May.*

h. priore de scona. We find H., prior of Scone, a papal judge delegate i June 1230 (*Regist. de Dunfermelyn*, No. 223). D.

Duncano de Melginch. See Note on No. xxvii.

Drumcrok. I have failed to trace a Drumcrok in the parish of lelginch. There is a Drumchork in Upper Strathearn, near Comrie.

Patricio filio Willelmi vicecomite de Perth. No doubt the same who ıot as sheriff) witnesses a royal charter in 1241 (*Lib. de Scon*), and :eurs in the *Cambuskenneth Reg.* in January 1244-5. [M. T.]

LXIV

See Introduction, p. xlviii.

Magistro David de Bernam. Afterwards the well-known bishop of St. ıdrews. David was 'Camerarius' 4 February 1235 (*Lib. de Scon*, 47), ıd 8 October in the same year (*Neubotle*, 17), and was 'Camerarius egis' at the time of his election to St. Andrews (Theiner, No. 100).

Magistro Hugone persona de lochres. At Leuchars, in Fife, was a sidence of the De Quincys.

Simone de Noysi persona de Ormistun. Ormiston in Haddingtonshire. D.

Thoma de Alneto. He had from Alexander II. a gift of lands near ımfries, which he in 1237 gave to Melrose Abbey. Probably the ne with Thomas de Aunou, who appears in the Cumberland Pipe ıll of 1230-31, and of whose lands in Lincolnshire and Yorkshire an tent was taken in 1246.

Suero de Sancto Andrea. He and his brother, Roger, were nephews of ırl Saher. This Saher held lands in several English counties, and part Collessie in Fife out of which he made gifts to Lindores Abbey and ıo to Brackley hospital. He seems to have died before 1256; his fe, Matilda, daughter and co-heir of Henry de Dyve, survived him l 1273.

Willelmo de Haya. Also witness to No. lxviii. Second son of David Haya second lord of Erroll; ancestor of the Hays of Leys, and of ə earls of Kinnoull.

Henrico Biset. A witness also to charters by Earl Roger and by ıger and Saher de Sancto Andrea to Brackley hospital. A different rson, of course, from the Henry Biset who died in the reign of King hn.

Duncano Sibaud. Also a witness to charters by Earl Roger to Saher de Seton, by the same earl and by William Malerb to John de Kinloch, and by Walter son of Sybald to Coupar Abbey. He may conceivably be the same who in 1286 granted to the same abbey an annual rent out of lands, apparently in Angus, which it would be rash to try to identify from the corrupt forms in which their names are preserved in the Register. [M. T–]

LXV

Galfridus. See List, p. 261. Geoffrey.

In addition to the confirmation of charters of his predecessors, Bishop Geoffrey grants that the church of Madderty may be served by a chaplain, or by one of the canons of the abbey. The witnesses supply us with the names of several of the chief members of the cathedral chapter of Dunkeld at the close of 1238—a valuable contribution to the *fasti* of the cathedral. The staff included a sub-dean and a succentor.

Domino Adam de Prebenda Decano ecclesie Dunkeldensis. Adam de Prebenda is still dean in 1245 (*Regist. Priorat. S. Andree*, p. 308).

Petro de Castro Theodorico precentore. Compare No. LXI. One would have expected *Castro Theodorici*. Castrum Theodorici is the Latin name of Château Thierry on the Marne, not far from Meaux. See Note on No. LXI.

Magistro Willelmo de Edenhame. He is still archdeacon in 1245 (*Regist. Priorat. S. Andree*, p. 308); and was archdeacon as early as 1225 (*Lib. de Scon*, No. 83).

Roberto Thesaurario. He is still treasurer in 1245 (*Regist. Priorat. S. Andree*, p. 308).

Magistro Roberto de Laycestria. He is styled by the bishop 'noster con-canonicus,' which suggests that, as at Aberdeen, Moray, Ross, and Brechin, the bishop held a canonry in the cathedral of Dunkeld. D.

Most of the lands herein mentioned lie in the parish of Blackford (the ancient Strageath). Rossin is in Dunning parish, Strathyn in the old parish of Aberuthven; Arneluoy I cannot identify. Fedale in later times belonged to Muthill parish; with this mention of it as pertaining to Auchterarder, compare the statement in one Lindores charter that the place lay in the thanage of Auchterarder, while another places it in 'Katermothel.' [M. T.]

LXVIII

For Gilbert de Haya and his relatives here named, see *Scots Peerage*, i. 556-7.

Johanne de Fentone. In later times part of Strathy (Appendix III.) was called Strathy-Fenton. [M. T.]

LXIX

Date, Saturday, 8 December 1240.

Magistro Roberto de Laycistria. See notes on No. LXV. D.

Ricardus de Laycestria is also the grantor of two charters of subjects in Perth to the abbey of Scone, and one to that of Lindores; and a witness to a grant by Earl Roger de Quincy to Scone.

David filio Galfridi. Son of Galfrid son of Martin, and witness (along with his father and Henry his brother) to a grant by Swan son of Thor to Scone Abbey before 1199. John son of David was his son, for he styles Henry son of Galfrid his uncle (*Scone* No. 90).

Henrico filio Galfridi. See previous note. He witnesses a grant by Graham bishop of Dunblane to Arbroath abbey, two Lindores charters, and several Scone charters, in one of which he is styled *prepositus* and in another *aldermannus* of Perth.

Johanne de Batalia. In spite of the prefix *dominus* (perhaps only honorary), he is probably to be identified with John de Labatil of No. LXX. and of *Scone* No. 169, John de la Batayle of *Lindores* No. LXVII., and John de Bello of *Scone* Nos. 89 and 95.

Johanne Sokyn. Perhaps a mistake for Kokyn (No. LXX.). John Kokyn witnessed Richard de Laycestria's two charters to Scone, and another charter to that abbey shows that in 1245 he was a *prepositus* of Perth.

David Yep. Witnesses three Scone charters, one of them dated 1219.

Galfrido de Len. William de Lene was a benefactor of Scone; Martin de Lene witnesses No. LXXI.; Simon de Lenna, Cecilia his wife, and John his son and heir, occur in Drummond Castle charters (as do some other burgesses of Perth named in the Inchaffray writs); and John de Lenna did homage in 1291.

Henrico de Bedford. Witness to the two charters following, and to a Scone charter of 1245. [M. T.]

LXX

Johanne Albot. Also a witness to No. cx.; in both places the former edition has *Abbot*. *Albot* is conceivably a mistake for *Albo*; 'Johannes Albus' witnesses Nos. LXXIII. and LXXIV. in company with the grantor of the present charter. Or he may have been one of the Perth family of Ailbot, as to whom see No. cxx. footnote, *Fœdera*, i. 773, and *Exchequer Rolls*, vol. i.

Nicholao de Scardbrow. Also a witness to No. LXXI., and to *Scone* No. 95. He, Mr. Roger de Scardtheburg of No. CIII., and Robert de Scardeburg who did homage in 1291, evidently took their surname from Scarborough in Yorkshire.

Willelmo de Dunde. Also witnesses No. LXXI., and *Scone*, Nos. 86, 88, 89.

Andrea Teket. Also witnesses No. LXXI. *Philip* Taket did homage in 1291 and 1296. [M. T.]

LXXI

Henrico Tenteman. *Rauf* Tendeman or Tundeman did homage 1291 and 1296.

Malisio Treisdeneris. *Michael* Treisdeneris did homage 1291. [M. T.]

LXXIII

On this grant, see Introduction, p. xli. D.

This and LXXIV., though they cannot be of the same date (the holder of the benefice having been alive at the date of the former and dead at that of the latter), yet have the same witnesses. See notes to Nos. XIII. and XLVIII.

Ioachim militi de Kenbuc. See note to No. XXVII. [M. T.]

o nepoti meo. Presumably Malise, son of Malise the grantor's (No. CII.). [M. T.]

LXXVI

as been assigned to 1247 as mentioning that date. But it may o a slightly later time: not in any case after 1258, when Bishop died. The same remark applies to No. LXXVII., which follows XXVI.

o de Rothwin. Witnesses also Nos. LXXXVI., XCV., and XCVII. er Walter was the first of the surname; his mother Cecilia Gilbert's daughter. [M. T.]

LXXIX

Lyons, 8 August 1248. The bishop of Brechin at this date in; the bishop of Dunblane was Clement; and the abbot of y was probably Nicholas. D.

LXXX, LXXXI

of No. LXXX: Lyons, 23 April 1250, which is also the date of the papal letter (No. LXXXI.). The ordinances of the bishops of and Dunkeld here confirmed were made some ten years before of these letters. D.

LXXXII

Perugia, 8 June 1252: addressed to the abbot of Holywood ongal) in Nithsdale, and the sacrist of Glasgow. Holywood was of Premonstratensians. The name of the abbot at the above date nown. The sacrist of Glasgow was a canon who assisted the r in the custody of the relics, *ornamenta*, etc. Some six years n this letter the sacrist of Glasgow was 'J' (*Regist. Glasguen.*,). D.

LXXXIII

mus . . . Abbas de Arbrothok. This abbot does not (so far as I ccur elsewhere. It is assumed in the Preface to *Regist. Vet. de Aoc* that the word here is an error for Walterus; and this may be t between the last notice of Abbot Adam in 1245 and the first f Abbot Walter in April 1256 there is space for an Abbot at the date of this charter, 9 November 1252. D.

is no notice elsewhere of Inchaffray possessions in Arbroath. they were held in wadset only. [M. T.]

LXXXIV

Abbati et . . . Priori de Sacro nemore. Holywood, which does frequently occur in Scottish record, and which appears in No. LXXXI again appears in this letter of Pope Alexander IV.

On the use of the hemp string for the attachment of the *bulla*, see the Notes on No. CVII. D.

LXXXV

See Introduction, p. xlii.

Ecclesiam sancte findoce de Inchealt. For the history of the parish of Inishail the reader is referred to *Origines Parochiales* (vol. II. part *i.* p. 129); and for St. Fyndocha or Findocha (said by some to be one of the nine daughters of Donald of Glen Ogilvie), see Dr. Gammack's article in Smith and Wace, *Dictionary of Christian Biography.* It seems to be an error, as stated by Dr. Gammack, that Echt in Aberdeenshire had St. Fyndocha as patron. The Aberdeen Breviary (Prop. SS. pars estiv. fol. 126, *verso*), to which reference is made, says that St. Fyncana was venerated at Echt, and St. Fyndoca 'at the archdeaconry of the diocese of Dunblane'—an expression which doubtless means the prebendal church of the archdeacon. This was Findogask; and the form of the name Findogask points to the connection of the cultus of the saint with the parish. The feast of SS. Fyncana and Fyndoca was 13 October. D.

LXXXVI

See Introduction, pp. xliii, lxiii, lxiv.

Fratre hugone. This brother of Earl Malise is perhaps the same as the frater Hugo the *terrarius* (No. XCVI.).

N. Camerario nostro persona de Creff. Nicholas: see No. LXXXVII. D.

LXXXIX

roduction, p. xlix. D.

XC

u . . . Dunkeldensis episcopus. See List, p. 262.
o Roberto de Streuillyn Decano Dunkeldensis ecclesie. There is believe that *streuillyn* is here an error for *stuteville*. Robert ille was dean of Dunkeld in 1253, when he was elected bishop drews; but the election was quashed (Theiner, No. 162). And an when he was elected to the see of Dunkeld, perhaps about e List, p. 262.
de Mukyrsy. This parish was afterwards annexed to Forteviot. D.

XCI

gio, which also occurs in No. XCII. *Martilogium* (for *Martyrolo-* ften used in the sense of an Obit-book or Necrology, in which the benefactors and 'confratres' were inscribed, so that they might emembered in the prayers of the monastery. The form of the *rtilogium,* with its variants, *Martalogium, Martilegium,* is common astical records of England, Scotland, and Ireland; but it seems le known on the Continent. The Martilogium was commonly d in the chapter-house after Prime. Rules for inscribing obits, ng the Martilogium, will be found in the *Customary of the Bene-* lonasteries *of St. Augustine, Canterbury, and St. Peter, West-* vol. i. pp. 223, 352, 364; vol. ii. p. 182 (Henry Bradshaw

m suum. The proposed chapel of Tristram was obviously to be the parishes of the appropriate churches of the abbey. The ause as to the mother church not suffering loss is common in s. See Introduction to the *Chartulary of Lindores,* pp. lxviii-

. . . *Dunblanensis episcopi,* see List, p. 259. D.

. S. Fittis (*Sketches of the Olden Times in Perthshire,* p. 408) at on 31 May 1454 Tristram de Gorthy 'founded the Chapel r, a new erection reared on the old site after the original edifice me ruinous. The Deed of Foundation (he adds) exists, and eal entire.' The editors would gladly have printed the charter to as an illustrative document, but have been unable to discover abouts. It might have shown, *inter alia,* whether the Cambinch CI. and XCII. is the Chapel Isle described by Fittis. [M. T.]

XCIII

ite (23 May 1266) of the bull, of which this is a copy, is deter- r the place from which it issued. Clement IV. was the only

Pope Clement who was at Viterbo in the second year of his pontifi (see Mas Latrie). We apply the same method of identification in case of No. XCIV., from which the *bulla* has disappeared. E

XCIV

See Note on No. XCIII.

I have not ascertained the name of the archdeacon of Lothian at date (1 June 1266). E

XCV

Jacobo persona de buffudire. Balquhidder in the diocese of Dunbla Other variants are Butfuder, Buffydir, Buffider, Buchfydir, Buthfod Buthfuder. The church was valued for Boiamund's taxation (A.D. 127 at 160 shillings (*Theiner*, p. 111). D.

It is locally believed (so Mr. Chalmers, factor on Gask estate, inform me), that the quarry used for the building of Inchaffray is a large an ancient one, still to be seen, a short distance south-east of the ol church of Findogask. This tradition would be entitled to the greates respect if it could be traced back beyond the publication of *Lib. Ins Mis.* But it is *à priori* not likely that the quarry of this charter la within Findogask, which, though probably a part of the ancient earldo of Strathearn, was not held by the earl but by powerful vassals, th De Quinceys, and after them by the Comyns. And Nether Gask wa the old name of Trinity-Gask, so called, perhaps, on account of th low-lying situation of its ancient manor-house, now known as Gasco Hall (it was the property of the Murrays of Tullibardine, see *Reg Mag. Sig.*, 1306-1424, p. 25; and they were undoubtedly the ancien proprietors of Trinity-Gask), so that we should rather expect to fin this quarry within that parish. There are several freestone quarrie (most of them disused) in the locality; but comparison of stones fro

XCVII

This charter exhibits to us a chapel served by a chaplain in the almshouse of the monastery, with a chalice and other *ornamenta* provided. See the next charter. D.

Comparison with No. XCVII. suggests that the present grant was made not long before Earl Mailse's death.

Gilberto de Ruthfen. See note to No. LXXVI.

Willelmo de Rothfen. Probably Sir Gilbert's brother, who not long afterwards succeeded him, and was ancestor of the earls of Gowrie and their cadets. [M. T.]

XCVIII

J. decano. John, dean of Strathern, see Nos. XCIX., C. D.

XCIX

Magistro Johanne de loggy. This person, who appears here as a canon of Dunblane, occurs five years later in Boiamund's account of the Holy Land tax. There we read, 'Prebenda Magistri I. de Loggy, 14 sol. 10 den. ob,' which gives the value of his prebend as 7 lb. 8 sol. 9 den. (Theiner, *Monumenta*, p. 116). The source of this prebend is not stated. He is a witness of Nos. XCVIII. and C. D.

Ach et Monach filiis Alpini. Both these are witnesses to No. C.; Monach also to No. CXVII., and to one Montrose and four Atholl charters of the same epoch. [M. T.]

C

Rectore ecclesie de Glendofona. Glendevon, a few miles east of Dunblane. Four years later than this charter in Boiamund's taxation this parish was rated at 7 lb. 5s. 5d., and in the following year at 8 lb. 2s. 6d. The names in Theiner are Glendelan (p. 112), and (still more strange) Glendon (p. 115), but I think there can be little or no doubt that Glendevon is the church intended. The dean of Strathern is represented as rector. The dean, John, soon gave place to Thomas. See No. CII.

Cumry. From Boiamund's account (in Theiner) this church was valued at 240 sol. D.

CII

N. rectore ecclesie de Creffe filio meo. The relationship of Nicholas, rector of Crieff (a frequent witness) to the grantor, is worthy of notice.

Thoma decano Dunblanensis ecclesie. This is a contribution to the *fasti*

of the cathedral. Unfortunately we can give only an approximate dat to the charter. He appears again in No. CIII., CV., CVI., CXII., CXIII.

Domino Donaldo decano de Methel. The place is probably Muthill, an Donald was presumably a 'dean of Christianity' or rural dean. Compa Martin 'decanus de Menethet' (Menteith) in 1235 (*Chartulary of Lindore* p. 55). In the *Chartulary of Lindores* (p. 252) I considered Methel a meaning Methkil, but perhaps it means Muthill. D.

Date: after 1271, John the dean having now been succeeded b Thomas. But the grantor of the charter, having been a witness t No. XXV., must have been an old man by 1272.

Patricio de Grahm. Also witness to No. CXVIII. Lord of Kincardin Succeeded his father, Sir David, *c.* 1270; fell at the battle of Dunb 1296. His mother was a daughter of Earl Robert, and therefore he wa grandnephew of the grantor of this charter. [M. T.]

CIII

This appears to be a little earlier than Nos. CV. and CVI., in which th grantor has assumed the surname 'de Petlandy.' [M. T.]

CIV

The bulla being lost, we identify the Gregory by the help of the Itinerary of the Popes, as in the case of No. XCIII. and No. XCIV. (See Mas Latrie.) D.

CV

Rogero dicto de Dunfallyn. For Dunfallyn, see No. XXXIV. [M. T.]

CVII

The use of silk for attaching the bulla was commonly regarded as belonging to bulls of favour, hemp being used in other cases. Occasion-

original bulls in this collection to which the *bullæ* are still Nos. VIII., XXI., LXII., LXXXIX., CVII., and CXXXI. have silk, while nd CXX. have hemp. D.

CVIII

lack ford' of this charter must have been over the then marshy hich bounds Madderty on the south-east, probably at the t point of that valley, and therefore at or near the bridge by e present road from Madderty to Perth crosses the Cowgask The 'wood of Rosmadirdyn' on the further side of the ford is esented by the Ross Farm, then as now part of the lands of (Findogask). Mr. M'Lagan Wedderburn has pointed out to correspondence between this 'black ford' by which the canons stwards, and the 'red ford,' still commemorated by the farm of e, by which their road southward passed (perhaps also the road l to the ford of Dollerie; see *Acts of Parl. of Scotland*, v. 552).

no et Alexandro fratribus nostris. See the Peerages, which state liam was *elder* brother of the grantor of this charter. In the *Peerage* Alexander is overlooked.

lao de Vepunt. Of Tynedale, son of Robert de Vepunt; he had of the manor of Alston in Cumberland from Edward I. in 1276.

o Holifarde. A witness also to Appendix No. v.; and, along with er Sir William, to two grants by Sir Gilbert de Ruthven to dgar, in the Dupplin charter chest. Another charter, preserved mond Castle, styles him bailie of Perth. He and his brother aps sons of that William Olifard who witnesses several charters nder II. between 1245 and 1249; and presumably fathers of the William Olifards, cousins, who immortalised themselves by the f Stirling Castle in 1304.

Mac kenedi. Also witness to a charter by Sir Alexander de o Sir Patrick de Graham, *c.* 1285 (Montrose charters).

[M. T.]

CX

Cristinus de Insula was sheriff in or before 1279 (see below); mes being common to this charter and 'Ragman Roll,' I hesign an earlier date.

i dicti de Cellare. He did homage in 1291 (as bailie), and in

o de Moravia. Also witness to Nos. CXII. and CXIII. The first f Tullibardine. See *Scots Peerage*, art. 'Atholl.'

de Insula. He witnesses three other known charters as sheriff none of them dated, but one of them confirmed by Alexander 79. In one of them he is styled also burgess. Thomas de itness here, was presumably of the same family; as also Robert ck de Insula, witnesses to *Lindores*, No. LXVI. At Drummond

Castle there are five charters, all of lands in or near Perth, granted to Cristinus de Insula. One of these is granted by Robert son of Robert de Insula, and witnessed by Hugh de Insula. This Robert styles Walter de Perth his brother. Mr. Lindsay, to whom I owe this information, considers that the family took their name from the *Inch* of Perth.

Johanne de Perth. Did homage in 1291 and in 1296 as *aldermannus.*

Willelmo filio Wymark. Cp. *Scone,* No. 97. *Petrus filius de Wynemark* does homage in 1291; and Peter Wymark and Robert de Scardeburgh (see No. LXIX., note) are styled *nuper firmarii burgi de Perth,* 1291/2.

Johanne filio Ricardi. Did homage 1291 and 1298. [M. T.]

CXI

Andream . . . Abbatem de cupro. Andrew of Buchan was in 127[illegible] advanced to the office of abbot of the Cistercian Abbey of Cupar [illegible] Angus in place of Abbot William deposed (*Scotichr.,* x. 30). Aft[illegible] some twenty-five years he was provided to the bishopric of Cait[illegible] ness by Boniface VIII., 17 December 1296 (Theiner's *Monumenta,* N[illegible] 359), and a mandate by the same Pope for his consecration was issu[illegible] to the bishops of Aberdeen, Glasgow, and Ross, 1 August 1297 (*Ibid.,* No. 360). A fuller account of Andrew will be found in the 'Historical Notices of the Abbots of Cupar,' by Major-General A. Stewart Allan, prefixed to Dr. Roger's edition of the *Rental Book of* Cupar (vol. i. pp. 15-29).

In capella pontis de perth. This was, it may be presumed, the Chapel of Our Lady, on the town side of the bridge at the foot of the High Street. An earlier chapel had, together with the bridge itself, been swept away by the great flood about Michaelmas, in the year 1210 (*Scotichron.,* viii. 72). For notices of the later chapel of St. Mary at the bridge see Fittis's *Ecclesiastical Annals of Perth,* pp. 270, 271. Chapels built upon bridges or on the river banks close by were not uncommon. The chapel on London Bridge appears in the English chroniclers (see Matthew Paris, s.a. 1212). A beautiful chapel still

e is not here styled earl, though in 1281 he is so termed in see Introduction). Yet the identity of the list of witnesses with No. CXIII. must indicate a date little, if at all, anterior to Lady 3. It is possible that the omission here is a clerical error. But it ve remarked that both Nos. CXII. and CXIII. have seals from which erse is split off. Can this be by design, the new earl not having ured an equestrian seal? Each charter has a *secretum* bearing *comes*.

ne de Strivelyne. Lord of Kerse and Alva, sheriff and forester ermannan. His lands and offices passed with his heir-female to steiths of Kerse. [M. T.]

CXIII

gracie Millesimo ducentesimo octogesimo tercio intrante. The word is added because the day of the agreement was the feast of the lation (25 March), when the year began.

vetellis. See Introduction, p. lii.

vella sua inrotulari. After the manner of the kings of England nce, the Scottish kings styled his chancellary his *capella*. The *Capella Regia* in Spelman's *Glossarium Archaiologicum* is worth ng. In Balfour's *Practicks* (edit. 1574, p. 644) will be found an of 'the king's chapel or chancellarie' in Scotland. D.

CXIV

vcellis. See Introduction, pp. lii, liii. D.

the same as No. CXIII., or very nearly so. The two relate to e matter, and have the same witnesses. [M. T.]

CXV

ne/yr. That is, Innerpeffray, at the mouth of the stream which the abbey; see No. CXXXV. [M. T.]

CXVI

arison with Appendix No. V. shows that the wife of Sir John de ne here mentioned was sister of Earl Malise II., and therefore Earl Malise III. [M. T.]

CXVII

harter is interesting as showing the jealous maintenance by the its rights of exemption from feudal service. It is evident that y had supplied Earl Malise with some armed force drawn from ants of the abbey lands. The occasion was exceptional. er II. was killed by a fall from his horse on 19 March 1285-6;

and on Whitsun Monday (26 May) 1287 the convent had obtained from the earl this acknowledgment that the act of the convent was *ex speciali gracia*, and should form no precedent. D.

CXVIII

W . . . episcopus Dunblanensis. See List, p. 259.

Nostri contemplacione, 'out of regard for us.' *Contemplacio*, in this sense, is of rare occurrence; but some examples will be found in Ducange.

J. tunc abbate de Kambuskynethe. This was abbot John, who appears from 1285 to 1296.

Alpinio. This is probably the same as Alpinus, canon of Dunblane, who was elected to the bishopric after the death of Bishop William. See List, p. 259, and the Letter of Boniface VIII., 16 October 129[illegible] (Theiner, No. 355). D.

Alano de Kynbuk. See No. XXVII., note. He witnesses also a charter by Thomas de Monimuske, *c.* 1285 (Montrose charters).

Colino filio Gilleglas. Witnesses three Atholl charters of the same epoch, being styled in two of them as above, in the third Colin Gilglas.

Malcolmo de Kinros. Witnesses also *Lib. Ins. Mis.*, Appendix, No. 1[illegible]. [M. T.]

CXIX

Robertus. This was Robert Wischard, who was elected to Glasgow, apparently in 1271; but not consecrated till January 29, 1273-4. He died 26 November 1316.

Buthbrene. See Introduction, p. xliii. D.

Thomas de Cromennane. He has been mistaken for a Drummond by the Peerage writers; his surname is evidently taken from Craminnan in

of attaminare. Dr. Maitland Thomson has pointed out to me that the word 'attame' is used by Chaucer in the sense 'to begin.' See Murray's *English Dictionary*, and for the old French 'atamer,' see Godefroy *s.v.*

D.

CXXI

Date: Scotland Well, 16 February 1313-4.

Bernardo Abbate de Aberbrothok cancellario nostro. Bernard de Linton wrote the Latin poem on the battle of Bannockburn (*Scotichr.*, xii. 21; see also other verses of his, xiii. 5). He was made chancellor by Robert I. in 1307. He appears as 'elect of Sodor' in 1327 (*Exchequer Rolls*, i. 59). His death is usually assigned to 1333; but he must have died at latest in May 1331 (see the appointment of his successor, Thomas, canon of Dunkeld, dated 10 June 1331, *Calendar of Papal Registers*, ii. 341).

Roberto Abbate de Dunfermlyn. Probably Robert de Crail, who was certainly abbot in January 1316-7 (*Regist. de Dunfermelyn*, No. 349).

D.

Malcolmo comite de Levynax. The fifth earl, a steady supporter of the national cause. Slain at Halidon Hill, 1333.

Johanne de Meneteth. The 'betrayer of Wallace.' He adhered to Bruce, however, from 1309 onwards. See notice of him in *Red Book of Menteith.*

Gilberto de Haya. Of Erroll. An early and consistent follower of Bruce, who gave him the hereditary Constableship of Scotland, which is still held by his lineal representative.

Hugone de Ertht. Best known as a follower of Wallace; he disappears from record about this time. His family took their surname from Erth (Airth) in Stirlingshire, and also held Wauchton in East Lothian.

Roberto de Keith. Also witness to CXXIV. One of the most famous of the Scottish captains; see the Peerages. Slain at Dupplin, 1332.

[M. T.]

CXXIII, CXXIV

See Introduction, p. xliv. D.

CXXIV

Willelmo de Lyndesay. Parson of Air; chamberlain 1316 to 1318. Supposed to have been son of Sir Alexander Lindsay of Crawford (*Scots Peerage*, iii. 10).

[redacted] *senescallo Scocie.* Son-in-law of King Robert, and father of [redacted]. Died 9 April 1327 (not 1326 as usually stated).

Domino. 'The good Sir James' whose exploits are in battle in Spain in 1330.

Johanne Wissard. Of Carse in Stirlingshire. He joined the national cause after Bannockburn, thereby forfeiting the manor of Monilawes in Northumberland (Bain's *Calendar*, iii. No. 517). His wife was heiress of Prenderleith in Roxburghshire. The lords Abernethy of Saltoun, who in later times possessed that estate and quartered the arms of Wishart, are supposed to have been his descendants through an heir-female.

Alexandro de Setone. Sister's son of King Robert, and prominent in the public affairs of the time. The later Setons are said to have been descended from his daughter. [M. T.]

CXXV

Apud litwy. It is uncertain what place is meant by 'litwy.' 'Lithcu' (Linlithgow) has been suggested; but Dr. Maitland Thomson does not think that Lithcu could assume the form Litwy. Other conjectures have been offered, but none of them carry conviction. It has been thought best to leave the word in the English abstract in its original form. D.

CXXVI

Willelmus . . . ecclesie Dunkeldensis minister humilis. See List, p. 26
D.

CXXVIII

In festo beati Beani. October 26.

In the English abstract (p. 228) correct 'Duncan' into 'Donald.'
D.

Andreas de Moravia de Tulibardyn. Second of Tulibardine, son of Sir William (No. cx. above). Executed by the national party, 1332, for assisting Edward Balliol to win the battle of Dupplin. [M. T.]

CXXXII

Willelmi. See List, p. 260.

Laurencii Prioris de Abernethi. According to *Scotichronicon* (x. 33) the old foundation of Keledei was converted in a priory of Canons Regular in the year 1273. A prior of Abernethy (unnamed) was appointed by Clement VI. in December 1345 (together with the abbots of Arbroath and Lindores) to make provision to the archdeaconry of Dunblane of Walter de Coventry (*Cal. Papal Registers*, iii. 198) afterwards appointed bishop of Dunblane. The notices of this house and its officers are very meagre. D.

CXXXIV

Malisium primum et Malisium secundum. No note is taken of Earl Maline the grandfather of Earl Gilbert. D.

Johanne Senescalli fratre nostro. Sir John Stewart of Rayliston, half brother of the Steward; also witness to Nos. CXXXV. and CXXXVI.

Hugone de Eglyntonn. A celebrated name in the annals of Scots poetry. Ancestor, through his daughter and heir, of the Montgomeries, earls of Eglinton. His second wife was the Steward's half sister. Died 1377.

Thoma de Fawkyd. Witness also to the three following charters, and to other charters of the Steward before his accession to the crown—not apparently to any of his charters as king, so that it is possible that too late a date has been assigned to Nos. CXXXVI. and CXXXVII. He was employed in the negotiations for David II.'s liberation in 1357; and in 1362 he appears in the *Exchequer Rolls* as having lent money to both the king and the queen.

Willelmo Sympil. Of Eliotstoun, the first of his family to be so styled. He appears to have died without issue before 1367.

Willelmo de Meldrum. Lord of that ilk; he had a royal charter of the family estates in 1353. [M. T.]

CXXXV

Waltero . . . episcopo Dunblanensi. See List, p. 260.

Adam et Andrea Decano et Archidiacono. A valuable contribution to the *fasti* of Dunblane in 1365.

Beneficio legis ipsius valliani. Dr. J. Maitland Thomson has supplied the following note:—

'The Senatusconsultum Velleianum, named after Vellaeus Tutor, Consul when it was enacted (A.D. 46), nullified all cautionary obligations undertaken by women (*Dig.* lib. 16, tit. 1). In the middle ages a woman who became party to a deed usually renounced the benefit of this law; and such renunciation was inserted as an ordinary clause of style,

perhaps not always intelligible to the writer of the Deed. For other instances of Velleianum used absolutely, the noun being understood, see Ducange, *s.v.*'

Willelmi . . . Abbatis de Scona. The author of the Preface to *Liber de Scon* (p. xii) says 'William, abbot of Scone, occurs from 10 February 1353 to 1371.' William is found witnessing a charter on 1 March 1369-70 (*Blackfriars of Perth*, p. 29).

Adam de Breichyne Priore fratrum predicatorum de Perthe. The foundation of the House of Perth by Alexander II. is commonly assigned to 1231; but I am not aware that there is any better authority for this exact date than the general statement in *Scotichronicon* (ix. 47), that in the year 1230 the Jacobin friars first entered Scotland, drawn by the wishes of Alexander II., and the similar entry (from which, no doubt, Bower borrowed) in the *Chronicle of Melrose*. The church of the Preaching Friars at Perth was consecrated by David de Bernham, bishop of St. Andrews, 13 May 1240 (*The Pontifical Offices used by David de Bernham*, p. x). The earliest charter of Alexander II. preserved in the Chartulary is dated 31 October 1241, and refers to the church having been consecrated (*Chartulary of the Black Friars of Perth*, edited by Dr. Milne, p. 1). From 1450 downwards a considerable list of the priors has been constructed by Dr. Milne from the papers printed in his volume. But the notices of the earlier priors are very scanty.

Thoma de Inchyrethe Priore fratrum Carmelitarum de Tolylum. Tullilum, at a short distance from Perth. Richard (of Inverkeithing), bishop of Dunkeld, is said to have built for the Carmelites a handsome chapel at Tullilum. The introduction of the Carmelites into Scotland is assigned by *Scotichronicon* (x. 14) to the year 1261. D.

Mauricio de Dromyd. Ancestor of the Drummonds of Concraig, stewards of Strathearn.

Waltero de Moravia domino de Tulybardyn. Also witness to No. CXXVII. Third in succession from Andrew of No. CXXVIII. Said to have died in

near Perth from Donald, Earl of Lennox, which was confirmed by David II. in 1358 (Gray Charters), and in the *Register of the Great Seal* he is styled of Torsopy; and the Spenses of Perth were an important family, more than one of whom acquired landed estate in that age and later. [M. T.]

CXXXVI

Aeke filio Elpine. Not to be confounded with his namesake of a century earlier (No. c.).

Willelmo filio. Something is omitted by the copyist, perhaps *Malisii*; see the next charter. [M. T.]

CXXXVII

David de Graham. Of Dundaff and Old Montrose; fl. 1346 to 1373.

Note that of the five persons here named as burgesses or inhabitants of Auchterarder, four bear patronymics, and the fifth a Gaelic personal epithet; none of them had a surname in the modern sense. [M. T.]

CXXXVIII

The causeway of this writ can still be traced by a broad line of scattered stones, dislodged and spread by the plough; the ground on either side being stoneless. At its north end stood in the sixteenth century the farm of Calsayend, and the site is still locally known as 'the end of the causeway.' [M. T.]

CXXXIX

Iohannis de Kelly. See p. 233.

Episcopo Glasguensi. Walter Wardlaw, afterwards created a cardinal (December 23, 1383) by Clement VII. (*Regist. Avignon*, cited in Eubel's *Hierarchia Medii Ævi*). D.

CXL

Waltherus. See List, p. 260. D.

CXLI

Episcopo Dunkeldensi. John de Peebles, see List, p. 262. D.

CXLII

See Introduction, p. xlvii. D.

For full details as to the persons mentioned in this and the following charter, see Gregory's *History of the Highlands*, and the more recent *History of the Clan Donald*. Cristina daughter of Alan, heiress of the

MacRuaries of Garmoran and the North Isles, and fourth in descent from Somerled of Argyll, lived in the time of King Robert Bruce. She leaving no succession, her lands went to the son of Ruari her natural brother, the Reginald M'Rodry of this charter. He was slain in 1346; his sister and heiress was the first wife of John, first Lord of the Isles (fifth in descent from Somerled). Her lands were inherited by the eldest survivng son of this marriage, the Gothfridus de Insulis who grants this charter.

Elane tyrym. An island in Loch Moydart, with a castle said to have been built by the mother of Gothfridus. [M. T.]

CXLIII

Donaldus de Yle dominus Insularum. Son of the first Lord of the Isles by his second wife, a daughter of Robert II. Having been preferred to his elder half-brothers in the succession, he grants this charter of confirmation as feudal superior.

Dun Aros. Usually in record Aros. Fordun (i. 43) calls it Dounarwyse. [M. T.]

CXLIV

A venerabili faddir in crist Iohnne. John Treloch, see List, p. 254. D.

Johne Foulare. He and Marion his wife are commemorated by an inscription on a pillar in the old church of Perth (*Ecclesiastical Architecture of Scotland*, iii. 111). [M. T.]

CXLV

David Flemyng. He mortified an annual rent to St. Michael's altar in the church of Perth in 1445. [M. T.]

to Glasgow he was advanced to Dunkeld—provided 27 October 1447 (Eubel, ii. 163). Keith (*Scottish Bishop*) sketches his earlier preferments.

D.

See Appendix, the Abbey Lands. Here it need only be said that the lands of Ardunie, which appear in later charters as in the barony of Cardny, are here omitted either by accident or as temporarily absorbed into one of the neighbouring 'vills'; and that the lands of Hangandside occur here only and cannot be identified, but they are named among places in Fowlis.

Alexandro de Levingstoune. One of the two greatest men in Scotland during the minority of James II., the other being the chancellor, Crichton (No. CXLVII.).

David de Murra. See *Scots Peerage*, art. 'Atholl.'

Johanne de Cokburne. A frequent witness to royal charters during the period of the Livingstone supremacy. Sheriff of Kinross 1450, constable of Edinburgh Castle 1460. His estates passed to the Wardlaws of Torry.

Jacobo de Levingstoune. Eldest son of Sir Alexander above named; afterwards created Lord Livingstone. [M. T.]

CXLVII

Monasterium vallis virtutis. The charterhouse at Perth (*prope burgum nostrum de perth*) was so designated. Such fanciful names appear elsewhere. Another Carthusian house, that of Ingleby in Yorkshire, was known as the 'Mount of Grace.' The Carthusian house at Sheve was called 'Bethlehem.' The monastery was founded by King James in 1429 (*Scotichr.*, xvi. 18); and in this house the body of the murdered king was interred, 22 February 1436-7.

Willelmo et Johanne Glasguensis et Dunkeldensis ecclesiarum episcopis. William Turnbull was bishop of Glasgow, and John Railstone was bishop of Dunkeld. See List, p. 262.

Andrea abbate de melros nostro confessore et thesaurario. This was Andrew Hunter. He appears as our confessor and treasurer in various writs of King James II. His arms, three hunting horns, together with crossed croziers and the initials, A. H., appear more than once on shields among the stone carvings of Melrose Abbey.

Johanne Arous Archidiacono Glasguensi. He is a frequent witness of royal writs towards the close of the reign of James II.

Georgio de Schoriswod Rectore de Cultre. He here appears as clerk of the king. He is often a witness to the king's writs. He was chancellor of Dunkeld, and was appointed bishop of Brechin, 8 March 1454 (Eubel, ii. 123). George, bishop of Brechin, witnesses at Edinburgh 28 July 1454 (*Regist. Aberdon.*, i. 261). He seems to have died between Martinmas 1462 and Whitsunday 1463 (*Exchequer Rolls*, vii. 223-4).

He was Chancellor of Scotland for a short period (1458-60).

Cultre is Culter in the diocese of Glasgow. For other evidence that Shoriswood was rector of this parish, see *Regist. Glasguen.*, pp. 375, 377, 388. D.

Willelmo domino Creichtoune. See *Scots Peerage*, *s.v.*

Patricio domino le Grahame. See Peerages, art. 'Montrose.'

Patricio domino le Glammis. See Peerages, art. 'Strathmore.'

Andrea domino le Gray. See *Scots Peerage*, *s.v.*

Jacobo domino Frendracht. Eldest son of Chancellor Crichton above, lord of Frendraught in right of his wife. His style in this charter is one among many proofs that the distinction between 'lords of parliament' and lesser barons, introduced by James I. from England, was not yet clearly understood in Scotland.

Georgeo de Creichtoune de Carnis. See *Scots Peerage*, art. 'Caithness.'

Alexandro Ramsay. See *Scots Peerage*, art. 'Dalhousie.'

Jacobo de Edmondstoune. Son and heir of David Edmonstone of Ednam. His son succeeded to Edmonstone and Ednam, but his two daughters, wives of Blackadder of Tullialan and of Ogilvy of Boyne, inherited a large part of his estates.

Colino Cambell. Of Glenurchy, ancestor of the Breadalbane family.

Waltero de Ogilvy. Of Deskfurd, ancestor of the Earls of Findlater. [M. T.]

CXLVIII

The Mercers of Innerpeffray disappear from record a few years after the date of this charter. The last Mercer of Inchbraikie, Peter, sold that estate to Lord Graham in 1501.

Wilelmo Bonar de Kelty. Founder of a family which subsisted till late in the seventeenth century. [M. T.]

CL

NOTES ON CHARTERS, ETC., IN APPENDIX

I

This charter is believed to be the earliest extant writ relating to Strathern. Matthew, bishop of Aberdeen, one of the witnesses, was consecrated in 1172, and Walter de Bidun, another witness, who here appears as chancellor, was elected to the bishopric of Dunkeld in 1178. The date of the charter must fall between these limits.

Tristrije. Hunting-services: the word refers to services due by vassals to their lord by attending his hunting, their duty being to station themselves so as to hem in the quarry. The word *trista* or *tristra* (see Ducange, *s.v.*) *trustra* (see Spelman's *Glossarium*) is found in the English chroniclers and in English charters in this sense. The present charter adds a further variant *tristria*. I cannot remember having met the word in Scottish record except in the present case. Jamieson (*Etymological Dictionary, s.v.*) gives the vernacular *tristres* as meaning 'the stations allotted to different persons in hunting.'

Scalingis. 'Scalinga' is found in several Scottish charters in the sense, apparently, of a shelter for sheep, or a hut for shepherds, the Scottish 'shieling.' Thus William of Vipont in the time of William the Lyon grants to Kelso 'quasdum scalingas in Lambremore' (*Liber de Calchou*, No. 321). See also King David's grants to the monks of Urquhart of 'Scalingas de Fathenechten' (*Regist. de Dunfermelyn*, No. 33).

Sacca et socca, cum tol et tem et Infangenthef. All these are words of frequent occurrence in charters Scottish and English. Brief explanations by a competent authority will be found in the Glossary appended to Bishop Stubbs's *Select Charters*.

Matheo Episcopo de aberdon. Matthew, archdeacon of St. Andrews, was elected to the bishopric of Aberdeen, and consecrated 2 April 1172. He died 20 August 1199 (*Chron. de Mailros*). D.

The lands granted by this charter all returned to the earldom in the next generation, the grantee having seemingly left no issue. Oggoueli (Ogilvy) was granted by Earl Malise IV. to Sir John Moray of Drumsargard, his son-in-law, early in the fourteenth century, and still remains with the Morays of Abercairney, Sir John's descendants. Barderal and Kinkarden passed at an earlier period to the Grahames with a daughter of Earl Robert. Ouctermafen (Auchtermachany) appears, *c.* 1247, in the hands of Fergus, son of Earl Gilbert (above No. LXXV.); and Rossie, *c.* 1272, in the hands of Malise, also son of Earl Gilbert (above No. CII.). The two last named belonged in later times to the Cuninghames of Glencarnock and the Lords Sempill respectively.

W. rex Scottorum. In royal charters of the later years of David I., and in those of Malcolm IV., and the earlier years of King William, *Dei gratia*

is usually omitted. The absence of the words here affords a presumpti that this charter is not later than 1173. See M. Leopold Delisle's pap on the chronology of the charters of Henry II., *Bibliotheque de l'Ecole d Chartes*, lxvii. 361 ff. ; which, though interesting and suggestive, is n I am informed, the last word of charter scholarship on this subject.

Tristriis. Mr. F. J. Amours has favoured me with a very full list the occurrences of this rare word in French, English, and Latin, fro which it is clear that the *trist* is primarily the hunting station, an secondarily the duty of the vassal in connection therewith. In th present instance the two meanings coincide, the first being expresse and the second implied.

Comite Malcolmo Etholie. Second earl. Succeeded *c.* 1152. Die before 1198.

Comite Gilebride de Anegus. The first recorded earl, fl. 1150 to 1187.

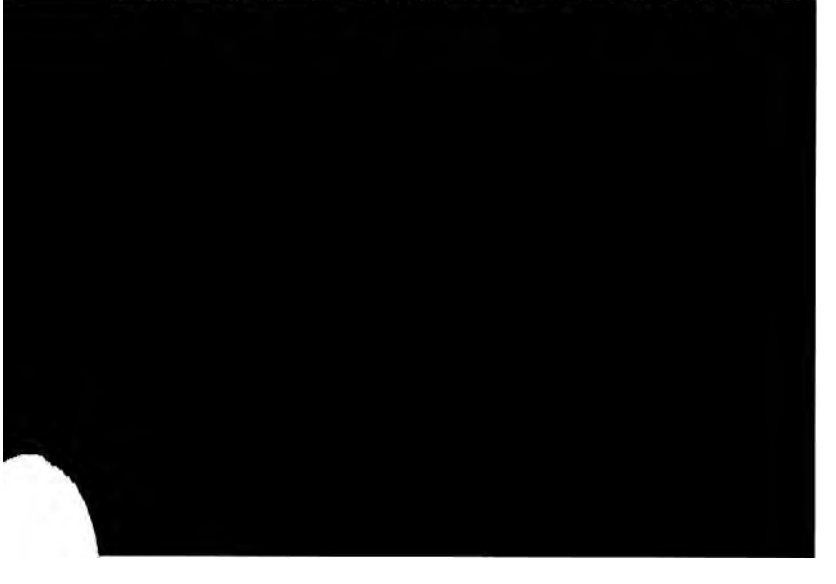
W. de Berkelai. Chamberlain of Scotland from about the date of th charter to near the end of the twelfth century. His daughter and he is said to have married Ingelram de Baliol, who possessed his lands Inverkeilour in the next generation.

Hugone Giffard. First Lord of Yester. A hostage for King William 1174. He witnesses royal charters from before 1170 to after 1189.

Roberto de Boseuille. The first of his name in Scotland. Witnesse several royal charters from this date to past 1178. He is said to hav held lands in Berwickshire. He, or a namesake and contemporary, hel lands in Kent and Suffolk. [M. T.]

II

This interesting charter, known to us only through the Register Inchaffray, is discussed by Mr. Cosmo Innes in the Preface to *Liber Insule Missarum* (pp. vi, vii). 'Earl David, my brother,' being among th witnesses, the charter must be dated after April 1185, when, mos probably, the earldom of Huntingdon was conveyed to David (as



Castellum meum de heryn. The site of the castle here referred to is unknown. D.

Alano dapifero. Second *dapifer* or steward of Scotland; succeeded his father 1177, died 1204.

Willelmo de Lyndesay. Lord of Lufness and owner of Crawford. A hostage for King William in 1174; justiciar *c.* 1195; died *c.* 1200.

Waltero Corbet. Lord of Makerston, Roxburghshire, and of Glendale, co. Northumberland; a hostage for King William in 1174; a benefactor of Kelso Abbey. Witnesses charters of Malcolm IV. and of William till 1191 or later; alive after 1200.

Rainnulfo de Sules. Son of William de Sules and nephew of another Ranulf, *pincerna* to King William. Lord of Liddesdale. Witnesses royal charters from *c.* 1180 to after 1200. Murdered by his servants in 1207.

Swano filio Thore. Ancestor of the Ruthven family; see *Scots Peerage*, art. 'Gowrie.'

Willelmo filio Thore. Witnesses also one of the Errol charters a few years later; otherwise unknown, unless he be the same as William son of Thorald. See note to No. XVIII.

Heryn. Possibly *Eren* (Auldearn) may be meant, at which place King William granted at least one charter. But there seems to be no record of a castle there. [M. T.]

III

This bull from the Dupplin collection is of such interest and importance that, although it has no connection with Inchaffray, the editors have had no hesitation in placing it at the service of students of the ecclesiastical history of St. Andrews. The sequel to this bull, helping to illustrate it, will be found in Theiner, No. CXLV.

Innocens. The *bulla* is missing, but the place of issue (Lyons) together with the year of the pontificate determine the Pope to be Innocent IV. The date is 7 April 1251.

Magistro Abel. Abel appears here as papal chaplain and archdeacon of St. Andrews. In 1248 Abel, then a 'clericus regis,' was granted at the request of King Alexander II. a papal dispensation for holding a plurality of benefices (Theiner, No. CXXXIV.). He was appointed by the Pope to the bishopric of St. Andrews, 20 February 1254 (Theiner, No. 164). He died 1 December 1254 (*Scotichr.*, iv. 43). For further particulars, see *Journal of Theological Studies* (July, 1903), p. 605.

Theuidalie. The archdeacon of Teviotdale, here unnamed, was Nicholas de Muffet. He was appointed archdeacon in 1245 (*Lanercost*, 53). He was elected to the see of Glasgow in 1258, but returned from Rome in 1259 unconsecrated, partly because he was unwilling to pay the sum of money demanded by the Pope and cardinals (*Chron de Mailros*, 184).

He was elected for the second time in 1268; but seems to have (1270) unconsecrated (*Scotichr.*, x. 25, 27).

Johanni de Everlay Canonico Dunkeldensi. John de Everley, cano Dunkeld, was a papal commissioner in 1248 (*Regist. Aberdon.*, i. 20- and in 1250 (*Chartulary of Lindores*, pp. 124, 126), he witnesses a cha of Bishop Geoffrey of Dunkeld (*Reg. Priorat. S. Andree*, 308).

Ecclesie sancte Marie. This, styled here a secular church, was the l church of St Mary of the Rock on the hill which overhangs the harl of St. Andrews, eastward of the cathedral. It was the church of community of Keledei. Some of the ruins still remain. It was sight of till 1860 when the foundations were discovered. See MacGib and Ross, *Ecclesiastical Architecture of Scotland*, vol. ii. pp. 29, 30.

Cedentibus uel decedentibus Canonicis. This allegation was undoubt correct. A series of bulls, from Eugenius III. onwards, declared on the death of any of the Keledei canons regulars should be pu their places. See *Reg. Priorat. S. Andree*, more particularly the bull Lucius III. (p. 60), Gregory VIII. (p. 65), and Honorius III. (p. 79).

Kitham. This must be an attempt to represent Kirkham in the l Riding of York, near Malton, where there was an Austin Priory. S of the ruins are still to be seen. Other perversions of the form of name in papal writs are Kyrham, and still more strange Lirneham (*Papal Registers*, i. 29, 211).

De sancto Oswaldo. The priory of St. Oswald at Nostle (now Nost four miles south-east of Wakefield. It was from this house the Au Canons were brought to Scone, according to Fordun (*l.* v. *c.* xxviii.)

Contra statuta concilij generalis. As early as Gregory I. it was down that two or three monitions should precede a sentence of communication (*Decretum*, II., causa xxiv., quæt. 3). The referenc the text is probably to the sixth canon of the Third Lateran Cou (A.D. 1179), which forbad the sentence of excommunication being nounced 'nisi admonitione premissa.'

Instructam uel non instructam. The word 'instructus' in the sen

certain lands in Scotland and of the parsonage of Nesgask, dated 31 May 1263, and witnessed, like the present lease, by Sir Adam, vicar of Gask. [M. T.]

IV A

Canonicis et fratribus. Compare No. IV B. In these two charters only do we find (in the present collection) the word 'canons' applied to members of the Hospital at Brackley.

Petro de Roches Episcopo Wyntoniensi. He was bishop of Winchester from 25 September 1205 to 9 June 1238 (Stubbs's *Registrum Sacrum Anglicanum*, second edition, p. 54).

Willelmo Malueisin Episcopo Sancti Andree. He was bishop of St. Andrews from 20 September 1202 to 9 July 1238. Saher de Quincy was created earl in 1207, and died in 1219. D.

Bishop William Malvoisin was present at the Lateran Council in November 1215, and did not return home till January 1217/8. Consequently neither this charter nor the following can lie between these dates: IV B., is dated 15 October, and the bishop could not possibly have been at Stirling on that day and in Rome by the beginning of November in 1215. It follows that IV B., and also IV A., in all likelihood, belong to 1218 at earliest. Probably either both belong to that year, or the first to the beginning of 1219 on the eve of Earl Saher's departure for the Crusade, and the other to the autumn of 1219.

The three lay witnesses to the present charter were all well-known English barons and (like Earl Saher himself) prominent supporters of the dauphin in the civil war of 1216; the Bishop of Winchester having been a leader on the other side. [M. T.]

IV B

Everardo de Trumpotone took his surname from 'Trompyngtoun nat fer fro Cantebrigge,' where he held a knight's fee. The Brackley charters show that he was a retainer of Earl Saher and of his son Roger; and his presence in the Scottish Court must have been either as messenger or as representative of one of them. [M. T.]

V

M[alcolmo] de Glendohtreht. He is witness to Strathearn charters between 1260 and 1284 (*Hist. MSS. Com. Report*, ii. 166; *Lib. Ins. Mis.*, Appendix Nos. 16, 17, 19). [M. T.]

VI

We George. This is George, called in the papal records Mureff. See p. 255. D.

It is a perplexing circumstance that his seal bears not Murray but Mercer arms. [M. T.]

VII

We do not know whether this was ever sent, and, if sent, whether the Pope replied.

The Queen's letters (No. VIII.) imply that no 'bullis apostollik' in favour of James Drummond had reached her.

The John and Laurence Gordon for whom pensions were sought were perhaps sons of the archbishop of Athens. In 1567 he proposed to resign the see of Galloway in favour of his son John (afterwards dean of Salisbury). After his decease his son George obtained the bishopric.

D.

IX

Per deliberationem biblie. This smacks of Reformation influence.

D.

XI

This erection of Inchaffray into a temporal lordship took no effect, as the narrative in the Introduction proves. But the Abbey and its possessions were at last so erected in favour of Lieutenant-General William Drummond, afterwards first Viscount Strathallan, by charter under the Great Seal dated 15 February 1669. The list of lands, etc., in that charter is practically identical with this. For notes on the lands enumerated, see Appendix on the Abbey Lands. The names which appear here and not in the earlier charters are no doubt mostly newly named subdivisions of the old possessions; many are small plots in the vicinity of the Abbey; Sanctanislandis and Sanctanismos, mentioned in connection with Williamston, took their names from St. Ann's Chapel (see *Reg. Mag. Sig.*, viii. No. 1342), the site of which (see Map) is identified

4. EARL GILBERT'S FOUNDATION OF THE PRIORY, 1200. (No. IX. p. 6.)

4. *Reverse.*—Within a carved panel of eight cusps an eagle contourné reguardant, wings expanded and inverted, with nimbus holding with its claws an escroll inscribed, I . PRĪOIPIO E/RAT . VERBV- Eleven flowers and leaves on background *Legend,* ✣S' COMVNE : ECCE : SCI . IOH'IS : EWANGELISTE . DE . INSVLA . MISSARVM. *Diam.* $1\frac{2}{16}$ inches.

Facsimile No. 31; from Gift of the Vicarage of Monzievaird to Sir Hew Gray, 8 May 1522 (Dupplin charter No. 24; not printed). Described B.M. 15325, and engraved in Laing, i. pl. xxvii. figs. 1 and 2, and as frontispiece to *Liber Insule Missarum,* from a brass matrix which is said to be in the Library of Innerpeffry, and of which there is an electrotype in possession of the Society of Antiquaries of Scotland.

Abbot of Inchaffray, 14th century.

5. In a canopied niche two figures, the dexter a monk with palm branch in right hand, the sinister a bishop with crozier held obliquely in front of him. Overhead in a niche in the canopy the Virgin seated holding the Child on her left arm. In base in a niche the abbot kneeling to sinister, holding his crozier in front of him with both hands. *Legend,* S ABBATIS DE I/NSVLA MISSARV̄. *Pointed oval,* $1\frac{3}{16} \times 1\frac{1}{16}$ inches.
B.M. 15327.

Alan, Canon of Inchaffray (13th century).

6. An eagle displayed. *Legend,* S'ALANI CANONICI DE INCHAF. .
Pointed oval, $1\frac{5}{16} \times \frac{13}{16}$ inches.
B.M. 15329.

Abraham, Bishop of Dunblane, A.D. 1210 to 1224.

7. In profile to sinister, mitre with infulæ at back, right hand raised in benediction and left holding crozier with sudarium attached, standing on [a curved line]. *Legend,* ✣SIGILLVM

James Chisholm, Bishop of Dunblane. A.D. 1487 to 1527.

9. In a canopied niche with tabernacle work at sides the figure of a bishop with mitre, right hand raised in benediction, left holding crozier obliquely in front of him, background diapered with a lozenge pattern, each space enclosing a rose. Beneath, a shield, ensigned with a mitre, bearing arms: a boar head couped. *Legend,* S . rotubu . iacobi . /epi . dublanesis. *Diameter* $1\frac{14}{16}$ inches.

Appended to the bishop's ratification (dated 24 July 1523) of the Gift to Sir Hew Gray above cited. S.A.S. 423.

Hugh, bishop of Dunkeld, A.D. 1214 to 1229.

10. In profile to sinister, mitre with long infulæ at back, right hand raised in benediction, left holding crozier with sudarium, standing on a plinth. On dexter a crescent enclosing a cross pattée fitchée, on sinister a bird perched on a tree. *Legend,* **[SIG]ILL' HVGONIS . DEI . GRA DVNKELDENSIS . E[PI].**

Pointed oval $2\frac{12}{16} \times 1\frac{11}{16}$ inches.

No. XXXVI. Facsimile No. 10.

Galfrid, bishop of Dunkeld, A.D. 1236 to 1249.

11. In profile to sinister, mitre with long infulæ at back, right hand raised in benediction, left holding crozier with sudarium. On dexter a crescent, on sinister a star. *Legend,* **+GALFRID . DEI GRACIA/DVNKEL'ENSIS EPISCOP.** Beaded borders. *Pointed oval* $2\frac{11}{16} \times 1\frac{9}{16}$ inches.

Detached seal, evidently belonging to No. LXV., to which it has now been reattached.

Robert Wishart, bishop of Glasgow, A.D. 1272 to 1316.

12. *Obverse.*—Front face with mitre, right hand raised in benediction, left holding a crozier, standing on a corbel, beneath which is the head of a small animal. On dexter a wavy branch of trefoiled foliage with a bird perched thereon, on sinister a ringed salmon hauriant. *Legend,* **S' . ROBERTI . WYSCHARD . DEI . GRA : EPISCOPI : GLASGVENSIS.** *Pointed oval,* $2\frac{12}{16} \times 1\frac{10}{16}$ inches.

13. *Reverse.*—An antique gem—a nude figure resting his left hand on a pillar, his right hand holding the heel of his upraised left foot. *Legend* [not decipherable]. *Oval,* $\frac{9}{16} \times \frac{8}{16}$ inches.

No. CXIX. B.M. 15116 to 15118. Other seals and counter-seals are figured in *Reg. Episcopatus Glasguensis.*

Chapter of Dunkeld, A.D. 1238/9.

14. Under a rounded arch supported on pillars a reliquary, behind which rises the head of a crozier. *Legend,* **SIGILL' . OAPITVL . . . DVNKELDENSIS . . .** *Diameter* $2\frac{3}{16}$ inches.

No. LXVI.

John . . . of the Friars Preachers of . . . A.D. 1365.

15. Within a canopied niche two figures, each with nimbus, the dexter having above his head an escroll inscribed . . . **PIO . C** . . Oblique crossing lines on background. *Legend,* **S. . FRIS IOHIS . ./ . . . PDIORM. . . .** *Pointed oval,* about $1\frac{4}{16} \times$ [illegible] inches.

No. CXXXV. Facsimile No. 27.

II.—LAY SEALS

1. Kings of Scotland

William the Lion, A.D. 1165 to 1214.

16. *Great Seal. Obverse.*—On horseback to sinister, in hauberk, conical helmet with nasal, lance in right hand sloping forward, the flag with three streamers, shield suspended from neck, and sword on left side. The horse has bridle, pectoral ornamented with small studs, and saddle. *Legend,* **WILLELMVS DEO/ REOTORE REX/SCOTTORVM.** *Diameter* $3\frac{2}{16}$ inches.

17. *Reverse.*—Seated on a bench with projecting ends, sides sloping inwards towards the top, and projecting footboard. Is tall and thin, wears a cap-shaped crown, and tunic extending almost to

Sciant tam hui⁹ q̃m ꝑsentes q̃d ego tlm̃ dedi · concessi · hoc ꝓsenti meo confirmaui deo · tlo
Johi ap̃lo de mechealtrin · canonicis ibidem deo seruientib⁹ · seruituris. unum ciphum in
cimiterio meo. edardoenmech q̃d est ꝓpinq̃ stagno coyleduini de corcun. tilul⁹ cuiusdem

Malise, fifth earl, A.D. 1244, or earlier to 1271.

24. *First Secretum* (A.D. 1258). Two chevronells. Nothing at sides of shield. *Legend,* **+SECRET MALISII COMIT DE STRATH.** *Diameter* $1\frac{6}{16}$ inches.

No. LXXXVII. S.A.S. 2733.

25. *Second Secretum* (A.D. 1268/9). Same as preceding, but with addition of star on dexter and crescent on sinister side of shield.

Appendix No. V. Facsimile No. 29. S.A.S. 2734.

26. *Equestrian seal.*—On horseback to sinister, in armour, with surcoat, helmet, sword in right hand slanting upward behind head, and shield on breast bearing arms:—Two chevronells. Horse covered with long caparisons, on which and on the surcoat the same arms appear. Below the horse is a wyvern. Background replenished with small estoiles. *Legend* **[SIGILL' MA]/LISII COMITIS . DE / STRATHE . .** Beaded borders. *Diameter* $2\frac{8}{16}$ inches.

S.A.S. 2735 (there and elsewhere wrongly ascribed to the sixth earl). Slain charter to Gilbert de Haya (fragment only). Does not occur in combination with *Secretum* in any know example.

Malise, sixth earl, A.D. 1271 to 1312/3.

Large Seal. Obverse split off in both the known examples.

27. *Reverse.*—On horseback to sinister, in armour, with surcoat, roundtopped helmet, a sword in right hand, and shield on breast bearing arms:—Two chevronells. Horse in long caparisons, on which the arms are repeated. *Legend* **+S' MALISII/COMITIS DE/STRATERN.** *Diameter* $1\frac{2}{16}$ inches.

No. CXIII. Detached seal now reattached to No. CXI. Facsimile No. 23. S.A.S. 2736.

28. *Small Seal.*—Two chevronells. Shield within a rounded and pointed trefoil panel. *Legend,* **S' MAILIS : COM . DE : STRTHERI.** Beaded borders. *Diameter* $1\frac{5}{16}$ inches.

3. Other Seals

'Black' John Comyn, A.D. *c.* 1273 to *c.* 1303.

31. Three garbs; a star of six points in chief. *Legend,* **+SIGILLVM : IOHANNIS : COVMIN.** Beaded borders. *Diameter* $1\frac{1}{16}$ inches.

Nos. CVIII. and CIX. Facsimile No. 21. S.A.S. 580.

Mariota, daughter and coheir of Malmoran de Glencharny, wife of Nevin MacEwyn, A.D. 1365.

32. A shield bearing impaled arms. *Dexter,* Three birds in pale. *Sinister,* A chevron. Palm branches at top and sides of shield. *Legend,* **+S' MARIOTE DE GLENCHARNIE.** Beaded borders. *Diameter* $1\frac{4}{16}$ inches.

No. CXXXV. Facsimile No. 27. S.A.S. 1061.

Tristram, early 13th century; ancestor of the De Gorthy family.

33. A Quatrefoil, seeded—not on a shield. *Legend,* **SIGILL' TRISTRAM FILII AVICIE.** Beaded borders. *Oval* $1\frac{11}{16} \times 1\frac{5}{16}$ inches.

No. XXVI. Facsimile No. 8.

For later Gorthy seals, see S.A.S., and plate in Fittis' *Sketches of the Olden Times in Perthshire,* 1878.

Gilbert de Haya, third Lord of Erroll, A.D. *c.* 1240 to *c.* 1264.

34. Three escutcheons. *Legend,* **+SIGILL' GILEBERTI DE LA. HAYE.** Beaded borders. *Diameter* $1\frac{9}{16}$ inches.

No. LXVIII. S.A.S. 1266.

This is the earliest known seal of the Scottish Hays.

Donald de Yle, Lord of the Isles, A.D. 1388 to 1420.

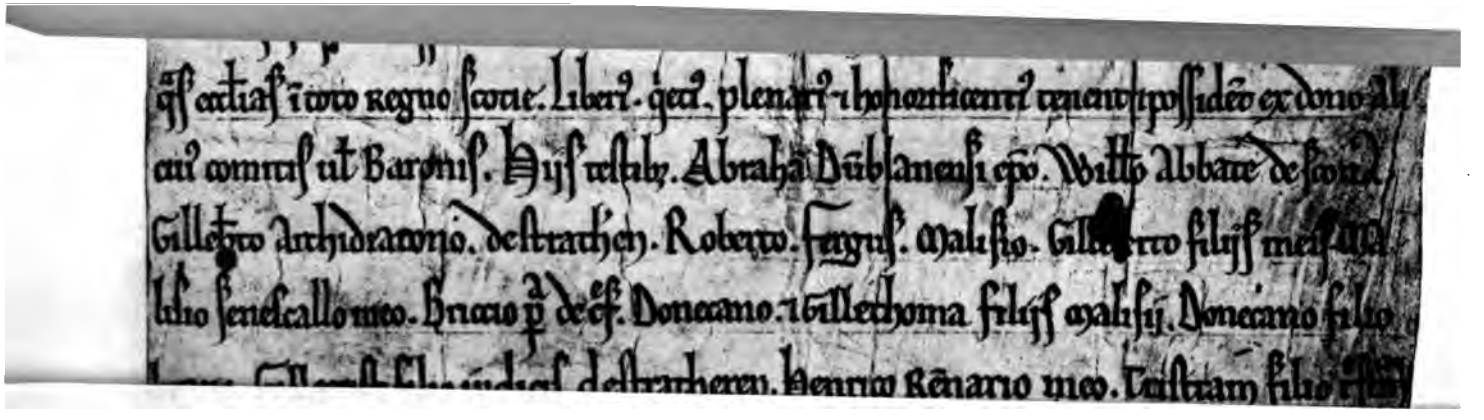
35. Couché. A lymphad surmounted of an eagle, all within a bordure flory for a royal tressure. *Crest,* on a helmet with coronet, an eagle head between two wings. *Supporters,* two lions rampant crowned. Ornament of foliage at sides. *Legend,* Sigillum Donaldi . de gle/domini in[sularum]. Carved borders. *Diameter* $1\frac{11}{16}$ inches.

No. CXLIII. S.A.S. 1794.

Gilchrist, son of Malcolm Macnauchtan, A.D. *c.* 1247.

36. A bend, surmounted in chief of a label of five points. *Legend,* **+S' GILECRIST MAONACHTEN.** Beaded borders. *Diameter* $1\frac{3}{16}$ inches.

No. LXXIV. Facsimile No. 18. S.A.S. 1843.



indispensable to such an institution were more conveniently provided out of the lands of Maderty, which had come to the earl in 1185 by royal grant following on the forfeiture of the former proprietor.[1] Surrounded by the lands of the earldom on all sides except where at the north-east across the marsh it met with the boundary of the parish and lordship of Methven, Maderty seem to have been originally independent of the earl; and it was divided from the Isle of Masses only by a channel narrow enough to be spanned as early as 1271 by an 'Abbey Bridge.'[2]

The first part of Maderty to be gifted to the religious became theirs (if the interpretation put upon No. VII and the date consequently assigned to it in the text be right) was the 'Abthane,' evidently an ancient possession of the Church, the right to which at that epoch was in the Bishop of Dunkeld, and which was held of him by Earl Gilbert and his brother Malise by feudal tenure or something analogous thereto. The name Abthane disappeared early; but we may reasonably infer it to have lain not far from the parish church, and to have corresponded more or less closely with the Bordland of 1445[3] and with the Abbey Mains of later times.[4] Besides the bishop's charter, the Canons had a title to the Abthane by its inclusion in the earl's first gift of land to his newly founded priory.[5] The other lands thereby granted, Ardeeweni, Achadlongsih (afterwards Craig) and Dufinder (afterwards Dubbotis or Dubheads), comprise apparently all the 'vills' then existing between the Abthane and the southern boundary of Maderty. The next gift was a site for a mill on the Peffery lower down than the monastery, in the territory of Balmakgillone (Bellyclone):[6] the terms of Pope Innocent's Bull[7] would imply that a mill had actually been erected. If so it must have been abandoned as unsuitable, probably for want of a sufficient flow of water.[8] After the date of the Papal Confirmation of 1203, the earl added to his

other to the east of it: this grant is not extant, but it was confirmed by King William between 1204 and 1206.[1] The lands of Balmakgillon to the west of Ardbanine were added after 1210.[2] These seven vills, each the centre of a piece of cultivated land which was being gradually enlarged out of the surrounding waste,[3] comprehended the whole of Maderty;[4] and if we add the gift of a mill on the Earn to take the place of the disused mill of Balmakgillon,[5] and the vill of Ruuehalach at the further extremity of the parish of Strageath (the latter given in exchange for the Canons' right to the teind of the profits of the earl's courts),[6] we have a complete list of the lands granted by the founder.

The lands gifted by others than Earl Gilbert in the lifetime of the latter consisted of eight acres in Gask, the gift of 'Orable mother of Seer de Quincy' before 1203;[7] ten acres there given in supplement or in exchange by Orable's son at the close of his career[8] (these appear in 1445 as 'terra monasterii que jacet in dominio de Cluchybeg,' and still bear the name of Clathybeg); and a croft in Edardoennech given by Tristam of Gorthy,[9] represented in later record by the Abbot's croft in Gorthy. We must add the five acres of Abercairny (in Fowlis) gifted by the earl's second wife,[10] which in 1445 still appear under the same name, but later were perhaps reckoned part of Inchneath.

Earl Robert, Gilbert's successor, extended the Abbey lands to the south by the gift of the lands of Rath;[11] his other charters

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[1] No. XXIV. [2] No. XXXIII.

[3] The gifts to the Abbey of serfs in 1258 and 1278 (Nos. LXXXVII., LXXXVIII., CIX.) were presumably intended to facilitate this agricultural development.

[4] In 1445 we find another holding, formed no doubt in the interval, Soutartoun (Ardunie was omitted in the charter of 1445, perhaps by accident); at the Reformation there was, in addition, Newraw, and a number of small holdings had been formed near the Abbey; and several of the ancient holdings were subdivided (see Appendix No. XI.). The whole western part of Maderty parish was still in the sixteenth century an open moor, called indifferently the Moor of Maderty or of Bellyclone. Yet the population at that time appears to have been considerable, even allowing for some exaggeration in the statement, made in a law pleading of 1559, that Andrew Drummond of Bellyclone 'pat furth ane great pairt of the native tennentis and pure lauboraris of the saidis toun and landis to the noumer of iij^{c} personis or thairby men wiffis barnis and servandis quhilkis wer put be him to uter heirschip and beggerte and ar thigand thair meit in the cuntre.'—MS. Acts and Decreets, xix. 372.

[5] No. XXXIV. [6] No. XXXIX. [7] No. XXI.

[8] No. XXXVIII.; confirmed by Earl Saher's son Roger, No. XLII.

[9] No. XXVI. [10] No. XLVI. [11] No. LII.

are only confirmations of benefactions of his father and his vassals.

From King Alexander II. the canons received in this earl's time the tenth of the king's ferme of the ancient burgh of Auchterarder.[1]

From Earl Robert's vassals they obtained (1) parts of the lands of Dalpatrick (of old called Kenandheni) from Robert de Meggefen and from Nigel de Lutoft;[2] (2) two acres in Pitlandy 'in agro qui dicitur Fitheleres flat' (the Teutonic name at this early period is significant) from Theobald son of William son of Clement —a gift afterwards confirmed and amplified by Theobald's son Luke[3] who took the surname de Petlandy;[4] (3) three acres in Kintocher from Henry son of Tristram.[5] All these were accompanied by rights of commonty which enhanced their value. The first of these places, which lies on the Earn a little above Innerpeffray, does not again appear in connection with Inchaffray: it was perhaps lost or exchanged for something else. The gifts of Theobald and his son lie near the village of Fowlis; they correspond to 'Dunnedufe cum Breuland de Petlandi et certis acris sibi adjacentibus' of 1445, and to Donydowis of later record. The canons' part of Kintocher (in Fowlis) may perhaps be the Inchenath of 1445 and later.

So far all the lands acquired lie within the area covered by the map. But late in the time of Earl Robert, or early in that of his successor Malise,[6] we have a group of gifts by burgesses of Perth of lands within that burgh;[7] also a charter[8] by Duncan de Melginch relating to lands within the parish of Melginch (St. Martin's, near Scone), which the canons claimed as granted to them by his father; and another[9] by Gilbert de Haya confirming and augmenting a previous grant by his father out of lands in the Carse of Gowrie.

fulfilment of parts of the obligations to the canons laid by Earl Gilbert on himself and his successors This earl also gave the canons a quarry of building stone in his lands of Nether Gask;[1] and founded a chaplainry in their eleemosinary out of the lands of Mukrath or Mukraud (now Monkcroft)[2] in the old parish of Kinkell. To his time belong a grant by his uncle Fergus to the canons of a chalder of meal out of Auchtermachany (Strathallan);[3] a charter by the abbot and convent of Arbroath entering the canons in subjects in the burgh of Arbroath, wadset apparently to them by a burgess;[4] and the agreement with their neighbour Tristram de Gorthy as to debateable lands.[5]

To the minority of Earl Malise III. belong the transference by Bricius de Ardrossan of his rights in Mukrath and Pitlandy;[6] his grant of sixteen acres in the 'Langflath' east from the Abbey bridge;[7] the grants of parts of Pitlandy by Luke son of Theobald already referred to; and two agreements relating to the canons' possessions in Perth.[8] To which should be added the topographically interesting gift by John Comyn with regard to the road from Inchaffray to Perth.[9]

The earl himself repeated and increased his father's grant of an annual rent out of Dunning and others;[10] and his aunt the Lady Mary, wife of Sir John Johnston, gave, for her life only, an annual rent out of her lands of Strathy, near Aberuthven.[11]

From Robert I. the canons received the most important addition to their temporalities since the time of Earl Gilbert: viz. the lands of Cairnie and Dalchorrachie[12] (the latter apparently now represented by the farm of Bankhead), consisting of that portion of

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[1] No. XCV.; see note there. [2] No. XCVII. [3] No. LXXV.

[4] No. LXXXIII. These do not appear again in Inchaffray record.

[5] Nos. XCI. and XCII. [6] Nos. XCVIII., C., CI.

[7] No. XCIX. These must, from the conformation of the ground, have lain on the Maderty side of the Peffray; but the fact that Brice held them, and held them by grant of Earl Malise, seems to show that they were reckoned part not of Maderty but of Fowlis.

[8] Nos. CX. and CXI. [9] No. CVIII.

[10] Nos. CXIII. to CXV. This annual rent was confirmed to the canons by Robert the Stewart as Earl of Strathearn in 1358 (Nos. CXXXIII., CXXXIV.). Part of it had been granted to Sir Maurice Moray for ten years from 1344 (No. CXXX.); and it is remarkable that the only remains of the annual rent which appear in the list of the Abbey possessions at the dissolution are the ten merks out of Pitcairn which were excepted from the grant last mentioned.

[11] As appears by her husband's ratification of her gift, No. CXVI.

[12] Nos. CXXI. and CXXV.

the 'thanage' and parish of Forteviot which lies north of th Earn. Here in later times there was a chapel called the Chap of the Muir,[1] of which the site is marked by the 'chapel wood near the west lodge of Dupplin.

About 1370, or perhaps rather earlier, Roger de Mekfen of th ilk gave the lands of Carnbo on the other side of the Ochils and William, son of Malise, mortified some lands in and abo Auchterarder for a light to be kept burning before an image the Virgin.[3]

In 1389 and 1410 we have confirmations to the canons of grant made by Cristina daughter of Alan (a contemporary King Robert Bruce), of the Chapel of the Holy Trinity in Uis with the lands of Karynche and others there.[4] These seem have been detached from Inchaffray before the Reformation.

Of the 'roum of land called Achnacloich,' in Muckairn, Argy shire, 'with the adjacent small isle Elinanabb,' to which the abb is said to have withdrawn in time of public calamities,[5] we ha mention in the signature of 1609, but no information as to t time or mode in which it was acquired.

In 1439 the canons purchased another rood of land Perth.[6]

In 1444 they received from Robert de Mekven of that ilk, t last of a family whose connection with Inchaffray dated back the time of Earl Robert the founder's son, the Brewland Mekven,[7] a mile west of the village of Methven. In 1445 Jam II. erected the greater part of their temporal possessions into barony.[8] In 1454 Robert Mercer of Innerpeffray gave them a eel fishing in 'Polpefery' within his lordship of Dollerie,[9] ju

convenience of the hermits of the Isle before the foundation of the Abbey) to facilitate their communications towards the north, in which direction the writ says, 'nec hominibus nec equis tutus patet accessus.'[1] With this 'object lesson' of the impracticability under mediæval conditions of any land improvement requiring co-operation between neighbouring proprietors, the charters of Inchaffray conclude.[2]

It remains only to express my gratitude, and to bespeak that of the Scottish History Society, for my old friend, the Rev. L. C. M'Lagan Wedderburn, who has procured for me, on the spot, very valuable topographical particulars, and assisted me in many ways; also to the Rev. John Ferguson of Aberdalgie; to Messrs. Condie and Mackenzie, W.S., agents for the Earl of Kinnoull, who have afforded abundant facilities and answered multifarious questions ungrudgingly; and to Messrs. Dundas and Wilson, C.S., and Messrs. J. and J. Miller, Perth, who have kindly given or obtained for me information on several points.

APPENDIX III

NOTES ON THE PLACE-NAMES IN THE INCHAFFRAY CHARTERS[3]

By Donald Mackinnon, M.A., Professor of Celtic Language and Literature in the University of Edinburgh.[4]

Parish Names

Aberuthven.—This is the well-known *aber* (od+ber), 'outflow,' the Pictish equivalent of the Gaelic *inver*, (in+ber) 'inflow,'

[1] No. CLI.

[2] The first recorded project for draining the valley is embodied in a contract of 1641 (*Acts of the Parliaments of Scotland*, v. 552). Several documents printed in *The Oliphants in Scotland* (ed. by Dr. Joseph Anderson, 1879), illustrate the progress of the undertaking, and the practical difficulties which impeded it. An Act of Parliament of 1696 (*Acts*, x. 67) produced better results, but the *New Statistical Account* witnesses to their inadequacy. The present better state of affairs is due to operations carried out by Commissioners acting under the Pow Drainage Act of 1846.

[3] The names are here given in their modern spellings. The forms in which they occur in the charters will be found collected in the Index.

[4] The writer desires to associate with himself in contributing these Notes Mr. W. J. Watson, M.A., Rector of Inverness Academy.

+ruthven=*ruadh*, 'russet,' 'red,' +*an*='water'; the name thus meaning 'Red-stream junction.'

Strageath.—The oldest form *Struf* suggests *struth*, 'stream,' 'current,' rather than *strath*, 'strath.' The second element may be Welsh *gwydd*, 'wood,' as in Keith, Dalkeith, etc., or Gaelic *gaoth*, 'wind.' The windy or woody strath, or stream.

Auchterarder.—*Auchter* is the Pictish equivalent of the Gaelic *uachdar*, 'upper.' *arder* appears in Aberarder, and must thus be a river or stream, analysed into *ard*, 'high'+*dobhur*, 'water,'—'upper stream,' or rather the upper part of 'high stream.'

Kinkell.—*Kin*, locative of *ceann*, 'head,' 'end'+*coill*, 'wood'; 'woodend.'

Dunning.—The old form, Dunin, evidently connects with *dùn*, 'fort,' although the mode of development is not free from difficulty. On Gaelic ground *dùnan*, diminutive of *dùn*, is common in the topography. But the *u* is invariably long, while here it is half-long at best. Besides, an *n* frequently appears in Pictland, and is puzzling. The sound has not hitherto been satisfactorily explained.

Monzievaird.—Monzie in the name must be the same as Monzie (pronounced Mon-í) below. The *-vaird* being stressed would remove the stress, and shorten the vowel, of Mon-ì. The oldest form of Monzie is *Mugedha*. This suggests that *mag(h)*, 'plain'+*edha* genitive of *edh*, *iodh*, 'corn,' is the origin of this obscure name. *Mag* was neuter in old Gaelic and that would account for the nasal (*n*). The latter part of the name *-vaird* is

Kil- or *tobar-*, 'well,' or such. The form *Madernin* would suggest *Mad-* (cf. W. *madog*, 'fox,' Gaelic *madadh*, 'dog,' 'hound')+ *-ernach*, a common suffix meaning 'place of,' 'abounding in.'

Fowlis.—The old form Fougles makes the origin of the name pretty clear: *fo*+*glais*='sub-stream.' *Glas* with meaning of 'stream,' 'river' is common in old Gaelic and is met with in Douglas=*dubh*, 'black,' 'dark'+*glas*, 'river,' 'stream.'

Kilbride.—This is Bridget's *cill* or *kill*, and presents no difficulty.

Tulliekettle.—The first part is clearly the Gaelic *tulach*, 'knoll.' The second element is obscure, though not uncommon. Cf. Tillychetly in Aberdeen, Balquhadly in Forfar, and Kettle in Fife. The -ettle being here equated with an older form -eden complicates matters.

Gask.—The word is used in Gaelic to mean 'tail.' In topography it is applied a 'nook' or 'hollow.' A long slope tapering to a point could fittingly be a Gask.

Strowan.—Pronounced long in Gaelic: strùan. Struy, in Ross-shire Struie, is probably an extension of *sruth*, 'stream,' 'current,' the *t* being always found in the north and east. The modern form and sound would suggest the *-an* as the Gaelic diminutive, but it will be observed that the old forms also contain the terminal *n*. *Vide* Dunning *supra*.

Aberdalgie.—*Aber*+*delgie*, which is doubtless Gaelic *de(a)lg*, 'thorn,' 'pin'+*ie*, common terminal in Pictland for stream, also for a diminutive.

Crieff.—In Gaelic *Craoibh*, the locative case of *craobh*, 'branch,' later 'tree.'

Forgandenny.—The first syllable is very likely the Pictish *foter, fother, for*, which has been analysed into the comparative of *fo*, the preposition 'under.' In the old form—For-grond, *grond* might connect with a very old and still common Gaelic adjective grànnd(a), gràn(a), 'ugly,' 'nasty,' from a noun *grain*, 'abhorrence,' 'disgust.' The suppression of the *r* in *grond* would become easier when *ethne* (a female proper name) was appended and stressed, not to speak of the fact that an *r* is also in the first syllable. There is also *gromna, gronna*, 'a marshy place.' Cf. *Groam* in Kirkhill.

Muthill.—The old form suggests *maeth*, now *maoth*, 'soft,' 'spongy.' The suffix *-il* may compare with *-ialos*, common in Gaulish names,

and Welsh *ial*, 'open space,' 'region.' Cf. also *Leochel* in Aberdeen, and *Innis-loicheil* in Ross-shire.

Monzie.—*v.* Monzievaird.

Comrie.—The locative of Comrach. The name connects with Aber and Inver, *Comber*, coming from *con*, 'together,' 'with' + *ber*, 'carry.' Probably, 'The place of the confluence.'

Balquhidder.—The Gaelic sound is Bo-chuidir, in the Dean of Lismore Both-fuidir. The first part is *Both*, 'hut,' 'booth,' also 'a collection of such,' hence the modern equivalent *Bal-*=Scot. 'toon' in its various shades of meaning. The second part seems to be *fuidir*, an old word used with some elasticity but generally 'stranger,' 'tenant from outside the tribe.' Cf. Achadlongsid *infra*.

Cargill.—*Car* is the root from which *carraig*, *creag*, 'rock,' derives; the general idea is 'rough,' 'craggy.' The second syllable is evidently the Gaelic *geal*, 'white.'

Killin.—Probably the locative of *ceall fhionn*, 'white chapel.' If there was a St. Finn, Find, or Fionn, the form would be the same, and the meaning 'Finn's church.'

Tibbermore.—This must be 'great well' or 'great spring.'

Cortachy.—The most probable root is *cart*, 'scour,' 'cleanse,' the meaning might be a place of brawling streams, if such a description suits the locality.

Balfron.—For *Bal-* replacing *Both- Buth-*, *v.* Balquhidder. The *fron*=*bren* might represent *bran*, 'raven,' *braon*, 'drop,' 'dew,' possibly *bre(u)n*, 'putrid.' Here probably *-fron*=*braon*, 'drop,' 'wet,' 'a wet place.' Cf. Brìn in Strathnairn (Gaelic *Braon*),

OTHER NAMES.

Strathy.—A development of the Gaelic *srath* on Pictish ground. *Strath* has been borrowed to English.

Arneluoy.—Arn- is a frequent initial syllable in Pictland and must be significant. The Gaelic *airne*, 'sloe,' shows in a few names. So does *fearn*, 'alder,' especially as a second element, and with *f* aspirated. But neither of these fit here. Welsh gives *arn-*, 'upon,' in composition only. In Arnespick, *arn* is probably *earann*, 'share,' the 'bishop's portion.'

Panholes.—Old form Pannan. There is a Pannanich in Aberdeen, and there are Panbride and Panmure. The *a* is persistent in all of them. This seems to exclude the well-known Pen-, the Welsh-Pictish equivalent of Gaelic *ceann*, Ken- Kin-, 'head,' 'end.' The suggestion has been made that *pan* may mean a 'well,' a 'mineral well,' and the modern Panholes would thus be a doublet. *Pan* in mod. Welsh means a 'bowl,' 'a cup.' *Panaca*, 'a drinking cup,' is quoted by Holder from Martial as a Celtic word.

Machany.—*Auchter* of the old form is as in Auchterarder above. The *maf-*, modern *mach-*, may derive from *magh*, 'a plain,' in which case one might suggest *Magh-an-aigh*, the locative of *Maghanach*.

Feddal.—The Gaelic *feadan* (diminutive) enters largely into place-names in its two meanings of 'rill,' and 'ravine,' 'cleft' through which the wind whistles. There is a Welsh *fedol*= 'front,' 'breast.' It is doubtful whether either word explains this name.

Pairney.—Neither the old nor the modern form is Gaelic. There is a Proncy on the east of Sutherland, equally obscure.

Rosmadirdyn.—*v.* Madderty *supra*.

Pitcairns.—*Pit*+the English plural of *carn*, 'cairn.'

Cairnie.—The old form suggests the -cardine of Kincardine, which derives from Welsh *carddin*, 'wood,' 'brake,' rather than G. *carn*, 'cairn.'

Dalquharrochie. — Gaelic *dail*, 'dale' (possibly Pictish *dol*, 'plateau')+corrachy, an extension of *corrach*, 'steep,' or *carrach*, 'stony,' 'rough,' 'scabbed.' The phonetics might yield *corr*, in one of its various meanings 'even,' 'odd,' 'crane' + *achadh*, 'field.'

Clathybeg.—The old form is evidently *clacha,* 'stones' + *beg,* 'little,' 'small.'

Kincleddie.—*Kin-* is clear,—'head,' 'end.' *-cladi* suggests the locative of the Gaelic word *cladach,* 'shore' of sea or lake. Welsh gives *cladd,* 'trench,' 'pit'; *cledd,* 'left,' 'north.' The appearance of the place might suggest the explanation.

Monkscroft.—The old form *Mukrath* makes the meaning clear: 'place of pigs,' 'piggery'; a common name on Gaelic ground.

Dollerie.—The first syllable is no doubt the *Dol* of Dollar, Dol-men, etc. etc., in origin akin to Dale, but in meaning rather 'a plateau.' The final syllables are suffixes of extension, 'abounding in,' 'places of.'

Earn.—The oblique case of *eire* as in Srath-eire 'Strathyre'; and the same word with *Eire* older *Eriu,* 'Ireland,' which has been variously explained.

Pow (*Peferin*).—Peffer appears in Strathpeffer and elsewhere, associated with rivers. The epithet is evidently the Welsh adjective *pefr,* 'fair,' 'bright,' 'smart.'

Tullichandie.—The first part is clearly *tulach,* the *-andie* or *-chandich* is not clear. In the district the *ch* of Tulach frequently disappears, so that when, as here, the *ch* appears one is not certain whether the sound belongs to the first or the second part of the name. The latter part may represent a personal name.

Achadlongsih.—The persistence of *s* in *longsih* makes the name to be *achadh,* 'field,' + *loingseach,* 'exile,' 'outlander.'

tion of the clan is that their ancestor went from near Scone to Argyll. One might interpret the name as 'Maclean town.'

Ardbennie.—The modern form would suggest *ard*+*beinne*=Gen. of Gaelic *beinn*, 'mountain.' The old form is against this, but it probably connects with the cognate Welsh *ban*, 'a prominence,' 'a peak.'

Balfour.—Notwithstanding the form Baleful, which is probably a slip, the name is Bal-fóur, the place of pasture (Welsh *pawr*, 'pasture'; *p* aspirated to *f* after Bal-). Cf. Pit-four, Doch-four, etc.

Athebethy.—The latter part is the genitive of *beitheach*, 'birch-wood.' Possibly called 'Birch-ford' from birch trees being used to make a crossing. The note makes the Athe=Gaelic *àth*, 'ford,' clear.

Gorthy (*Gortin*).—The name of the place where Columba was born. The *Goirteans* on Gaelic ground are many. A dimin. of *gort*, *gart*, of old an enclosed field. The *t* aspirates in Pictish but not in Gaelic.

Edardocunnech.—Eadar-da-aonach, 'between two moors': *aonach* of old meant 'fair,' 'games'; now in Sc. Gaelic 'a solitary place, a moor.'

Abercairney.—*v.* above *aber*+*cairnie.*

Pitlandy.—Notwithstanding the *a*, the name is evidently Pit+*eandaidh*, a common word in topography and always associated with marshy, wet places. It has been suggested that *London* is a variant of the same word.

Kintocher.—*Kin*, 'end,'+*tochar*, 'causeway.' The last element is common in the topography of Ireland and we have several Kintochers in Scotland.

Buchanty.—Buchany and Buchany Hill are in the district, while Buchan is in Aberdeen. Holder gives Bucconis, now Bouconne, in France. The name may be based on Welsh *bwch* (Gaelic *boc*) 'a buck.'

Pitmaue.—The modern form suggests Pit+monie, 'of the peat' or 'of the moor,' according as the *o* is long or short. The old form is, however, confusing, unless *a* is a mistake for *o*.

Dunyduf.—This must be 'Black castle'; *duf* rarely becomes *dow*, and the *-is* looks like the Scottish-English plural.

Inchenath.—In point of form the name can easily translate into 'the haugh of the ford.' But one does not know the place of the stress.

Dunfallin.—There is a Dunphail on the Highland Railway. *Fal, fail,* is 'turf,' which with *Dun,* 'fort,' 'fence,' would give the meaning of 'stockade.'

Rath is clear,—a 'fort,' of a definite character in Ireland according to O'Curry.

Rochallow from the old form looks like *ruighe,* 'shieling,' + *salach,* 'dirty,' possibly *seileach,* 'willow.'

Meckphen.—There is a river Meig in Ross-shire, which may be compared with Miglo of Strathmiglo, Meigle, etc. The Welsh *migen,* 'bog,' is also compared. If this name connects it might mean 'bog-end,' although the mode of composition *mig* + *pen,* 'head,' 'end,' is unusual.

Dalpatrick.—The dale or dol of Patrick. The stress is on Patrick and *o* might be written easily for *a* in the first syllable.

Kenandheni.—If the name were in pure Gaelic territory one might suggest that the form is a rather helpless attempt to write *ceann-an-aonaich,* 'end of the moor': *v.* Edardoennech, *supra.*

Tullibardine.—*Tulach,* 'knoll' + *bàrduinn, v.* Monzievaird. Here *bard,* 'park,' may not be improbable.

Kincardine.—Here undoubtedly *Kin-, Ken-,* 'head,' 'end,' + *carddin,* 'wood,' 'wood-end.'

Bardrill.—If the Bard here is *bard,* 'meadow,' which is probable, the old form *erel* may be the modern Welsh *erwyll,* 'gloomy,' 'dusky.'

Petneveue.—If one could read *n* instead of *u* in this name, there would be no difficulty in interpreting it as the *pit* or 'place' of the *neimhidh* or 'church-land,'—*neimhidh* representing the old Gaelic *nemed,* 'chapel,' Gaulish *nemeton,* 'a shrine in a grove.' Cf.

APPENDIX IV

SOURCES OF THE TEXT

By J. Maitland Thomson

The present volume, text and appendix, consists of one hundred and sixty-four deeds, of which ninety-five are printed from originals, eighteen from copies of various ages and various degrees of trustworthiness, and the remaining fifty-one from Registers. The great majority are derived from the charter chest of the Earl of Kinnoull, viz., eighty-seven originals, two copies, forty-seven Deeds preserved only in the ancient Register which was printed for the Bannatyne Club in 1847, and one from a later (sixteenth century) Register. The ancient Register contains also copies of thirty Deeds here printed from originals at Dupplin, and of seven Deeds of which the originals are preserved elsewhere.

Of the remaining twenty-seven the sources are as follows. The Atholl charter chest supplies two; the Montrose charter chest one; the Gask charter chest (now in possession of Captain P. Blair Oliphant at Ardblair) two; the Abercairney charter chest one; the Dollerie charter chest three; the Vatican Registers three; the General Register House, Edinburgh, one; the library of Magdalen College, Oxford, four; that of Edinburgh University one; and that of the Scottish Society of Antiquaries nine. The footnotes will show sufficiently the source of each particular Deed. It remains to give an account of the manuscripts themselves, and first of those preserved elsewhere than at Dupplin.

One original[1] and three fourteenth century copies[2] are at Magdalen College, Oxford. They are among the titles of Brackley Hospital, in Northamptonshire, annexed to the college in 1485. That hospital having been endowed by its patrons, the De Quinceys, with the church (and also for a time with the manor) of Gasknes or Findogask, thus became a neighbour of Inchaffray. Its Scottish possessions were at length handed over to the Bishop of Dunblane.[3] For the charter preserved at Abercairney[4] it has been necessary to reproduce the previous edition without collation, access to the original being at present impos-

[1] No. LXIV.
[2] Appendix, Nos. IV., IV.A., IV.B.
[3] Appendix No. IV. See note there.
[4] No. XLVI.

sible. For the three originals at Dollerie, to which access has been refused, No. LII. has been reprinted from the Bannatyne Club text, No. CXLVIII. from a facsimile; for No. CXLIX. only a brief abstract has been obtainable.

Of the Deeds[1] taken from the Atholl, Montrose, and Gask charter chests, the Register House, and Edinburgh University enough is said in the relative footnotes.

Nine Deeds are taken from copies contained in a manuscript in the Library of the Scottish Society of Antiquaries, titled *Carte Variae*, and in this volume cited as the Antiquaries' MS. It is a nineteenth century copy of the transcripts made by the Hon. Harry Maule of Kelly between 1700 and 1730, and preserved at Panmure. A selection from these was printed in the *Spalding Club Miscellany*, vol. v., but many are still unprinted. The nine Inchaffray Deeds, with four others, are stated to have been in possession of Hugh Fleming, W.S.,[2] and to have been found among the papers of Mr. George Halyburton, late Bishop of Aberdeen.[3] Their separation from the series at Dupplin is probably accidental. Of three of them there are copies in the Register; the other six[5] are now first printed. A copy of *Liber Insule Missarum*, which belonged to Dr. John Stuart,[6] has collations in his handwriting of the three charters which are common to the Antiquaries' MS. and the Register. The variants, though their correspondence with the readings of the manuscript is unmistakable, are clearly not taken from that source, but from the originals. Where Dr. Stuart saw these does not appear: Lord Dalhousie at Mr. Lindsay's request kindly caused search to be made for them at Panmure, but in vain. It is probable that all nine originals are extant. For the present the text of the three registered charters had to be taken from

The third[1] is from the Avignon Regesta, which the Public Record Office authorities have passed over in their series of Calendars, only temporarily it is to be hoped. Having been, by the good offices of Mr. W. H. Bliss and the courtesy of the Vatican authorities, allowed to make a prolonged study of this Record, I can testify not only to its unique value to the Scottish student for the period of the Schism, but also to the considerable amount of English and Irish matter still to be disinterred from the Avignon Regesta of the Pontiffs who reigned at Avignon before 1378.

The remainder of the volume is derived entirely from the Dupplin charter chest. It consists, as already stated, of eighty-seven originals, two copies, and forty-eight Deeds from two registers. These must now be described in more detail.

(1) The originals here printed are seventy-three charters and fourteen Papal Bulls. The condition of these, on the whole, bears witness to the care with which they have been preserved.[2] A few are slightly frayed away in places; none have suffered appreciably from damp or vermin; many retain their seals in good condition (see the description in Appendix I.). They have been put up by Mr. Chapman (see Preface) in small canvas bags, some containing one document, some two or more; numbered consecutively, but without systematic arrangement. The series comes down to the end of the seventeenth century, and includes not only Inchaffray Deeds but many others; every Deed relating to estates not now in Lord Kinnoull's possession being classed among the Inchaffray muniments. Only those which can be considered as title-deeds of the abbey are given in the text of the present volume; a few of later date, selected I fear rather at haphazard, will be found in the Appendix, and Mr. Lindsay has added his notes of a few others at the end of the Introduction: these will serve as a supplement to the matter of the same kind contained in the later section of the Bannatyne Club volume. The collection contains extensive materials for the Reformation and post-Reformation history of the abbey lands and churches, which is outwith the scope of the present publication. I need only add that forty-three charters, and all the Bulls, are now first printed; the thirty already printed from the Register are now given from the originals, the Register readings being given in footnotes when they seemed worth recording.

[1] No. CXLI.

[2] See the facsimiles at the end of the volume.

Of the two documents given from copies at Dupplin,[1] it need only be said that both copies are on paper, and of the sixteenth century.

The older Register, that printed for the Bannatyne Club,[2] is a parchment book, in small quarto, in a modern half-binding. The leaves measure $7\frac{7}{8}$ by $5\frac{5}{8}$ inches; the number of lines to a page varies from twenty-one to twenty-nine. The writing is of the fifteenth century; the latest charter inserted is No. CXLII. of the present volume, dated 1389. There are fifty-one leaves, numbered in a handwriting of about 1700; Sir James Balfour[3] refers to the first leaf as fol. 2, and quotes a memorandum from fol. 53; which suggests that a leaf at the beginning and another at the end have disappeared, perhaps removed by the modern binder. The Register ends on fol. 51, *recto*, in the middle of a document. The first three pages and the last have suffered by the application of gall. The fifty-one leaves are in nine gatherings of six leaves, the last three leaves of the last gathering having been cut away. Each charter is preceded by a title, opposite to which in the margin are usually set the letters *Rca*, occasionally at full length, *Rubrica*. The titles, and the large capitals with which each document begins, are, like the rest of the writing, in black (not red) ink. These initials are now and then left blank throughout the volume, and never filled in after fol. 43 *recto*. The first fifty charters are numbered consecutively in Roman numerals; No. LI. is unnumbered; the next six are numbered LI. to LVI., the last ending imperfectly at the bottom of a page; then follow seventeen more charters numbered I. to XVII.,[4] with a heading at the beginning of the first, 'Hic incipiunt carte et confirmaciones

ach gathering, the other half at the top of the first page
xt gathering. The names thus employed form, so far as
n alphabet; they are as follows:—

On fols. 6 *verso* and 7 *recto* A—dam.
„ 12 „ 13 „ Ber—nardus.
„ 18 „ 19 „ Cle—mens
„ 24 „ 25 „ Dio—nisius.
„ 30 „ 31 „ En—nok.
„ 36 „ 37 „ Fer—gusius.
„ 42 „ 43 „ Ge—hannes.

o catchword between fols. 48 and 49.
l. 42 ends in the middle of a charter (No. LVI. in the
57 of *Lib. Ins. Mis.*, XXXVIII. of the present volume);
3 begins with a new heading and fresh numeration as
cribed. This led the editor of *Lib. Ins. Mis.* to suspect
t this point; and the above list of catchwords enables
ulate the extent of the gap. The end of the name
gins Ge— (perhaps —orgius) is gone; so is the begin-
he name (presumably Jo—) which ends —hannes; and
them must have come a name beginning with *H.* It
hat two gatherings (twelve leaves) are wanting. The
given in *Lib. Ins. Mis.* is of fol. 2 *verso*, the first line of
g added to make up a complete charter. That given in
ne represents a double page,[1] and illustrates the system
ords just described.

ter Register is a quarto volume, parchment, in vellum
The pages measure $10\frac{3}{8}$ by $8\frac{7}{8}$ inches. The portion
ists of one leaf of index and forty-six of text, beginning
reface in rather turgid Latin, running in the name of
r Gordon the Commendator. There are twenty-eight
ers engrossed, of the years 1554, 1555, and 1557; after
llow memoranda of later date, the last being dated

: by Mr. Gilson of the MSS. Department). Canon Christopher
s has unearthed for me the following lines which occur in a manu-
ge College, Cambridge (see Dr. James's *Catalogue of Western MSS.*
ary of Clare College, Cambridge, 1905, p. 28):

Adam Bernardus Clemens Dionisius Ennok
Felix Galfridus Henricus Job Katerina
Lucas Matheus Nicholaus Odo Philippus.

1 *verso* and 25 *recto*. As these are outside pages of gatherings, they
ore than an average page of the Register.

20 May 1692. At the beginning and end there are several blan leaves, on the first of which is written in a sixteenth century han the document No. CL. of the present volume.

I must not conclude without acknowledging the valuabl help given me by Miss E. M. Thompson in obtaining for m in London material for this Appendix and for my contribution to the notes.

APPENDIX V

ADDITIONAL PARTICULARS WITH RESPECT TO CERTAIN OF THE ABBOTS OF INCHAFFRAY

The following Notes from the Vatican Registers have be furnished by Dr. Maitland Thomson. They did not arrive time to be incorporated in the section of this volume dealing wi the Abbots.

(1) There is mention of John de Moravia, abbot of Inchaffra in 1435. The abbot named John, who appears in Nos. CXLIV CXLVI., may have been John of Moravia.

(2) Nicholas Fechil and George Murray. On 4 (*pridie nonas*) February 1463-4, at St. Peter's, Rome, Pius II. issued a commission to Antonio de Grassis, papal chaplain and auditor of causes of the *Camera Apostolica*, to hear and dispose of the case raised on petition of George Murray, abbot of Inchaffray. The petition states that on the death of Abbot John (*extra curiam*) the superior and convent elected the said George *concorditer*; he having been a monk (*sic*) of the abbey, professed of the Order, a priest, bachelor

had contemptuously remained for a year and more under the greater excommunication (*Reg. Vat.* 495, fol. 219).

(3) On 24 (9 Kal. Jun.) May 1468, Paul II., at St. Peter's, Rome, issued a commission to Berard [Eruli], cardinal of S. Sabina, on petition of George Murref (*sic*), abbot of Inchaffray. The petition stated that the Pope's predecessor (Pius II.) had in the lifetime of Nicolaus reserved the abbey, and after the death of Nicolaus had duly provided William de Hadington, canon of the abbey, to the abbacy; that there had been a contest between him and George, and that the decision of the Commissioner, above mentioned, had been in favour of George, and that George had accordingly received papal provision. But as William and his complices still held the abbey, George petitioned. The Commissioner is authorised to put George in possession.

(4) The volume which contained the provision to Laurence Oliphant is amissing; but it appears that he was made commendator for six months, and thereafter abbot.

To the above there remain to be added the following particulars, furnished subsequently by Dr. Maitland Thomson, which should be used to supplement and correct the statements made in pp. 254-256.

(5) The provision of John de Moravia (who had been elected by the canons of the monastery) by Eugenius IV., bearing date 6 April 1435, states that the abbacy was void by the death (*extra Romanam curiam*) of William Carnoch (*Obbligazioni*, vol. 65, fol. 23 *verso*). This William is, doubtless, the person who in the record followed by Brady (relying on late copies) is called William de Carmiele (see p. 254).

(6) Again, the Bull of provision of the Abbey to John Hamilton (see p. 256) styles him the son of the Regent Arran, which fact answers the query put in the earlier part of this volume. He was, presumably, the same person who was afterwards commendator of Arbroath, and ancestor of the Dukes of Hamilton. He was for a long time known commonly as John, Lord Hamilton, and was created Marquess of Hamilton by James VI. See the *Scots Peerage*, iv. 370.

(7) William Franklyn (see p. 254). Benedict XIII. issued a commission to the Bishop of St. Andrews, dated 1 October 1414 (twentieth year of his pontificate) on the information of Moriella, wife of the Regent Albany, to deprive William Francland (*sic*), 'qui

se gerit pro abbate monasterii de Insafra Dunblanensis diocesis, for dilapidating the possessions of the abbey (*Regest. Avinion.* 344, fol. 801 *verso*).

(8) Nicholas Fechil and George Murray (see pp. 254, 255, 336). On 27 September 1458 an 'oblation' is made for George de Muray, abbot of Insula Missarum, of 100 florins of gold and 5 'minuta servitia'; and the next day there is an undertaking that when George shall obtain peaceable possession he will be responsible for restoring (*reficiendo*) all that has been paid by Nicholas Feyhill, his adversary (*Obbligazioni*, vol. 76, fol. 158 *verso*).

(9) William de Hadington (see above, p. 337). On 14 April 1463 William, abbot of Insula Missarum, made his oblation of 52 florins of gold 'de camera' and 25 *solidi* in full payment of his 'communia et minuta servitia' (*Obbligazioni*, vol. 79, fol. 49 *verso*).

(10) Pius II. (14 Kal. Feb. anno pontificatus 6), 19 January 1463-64, confirms two pensions granted by William, Abbot of Inchaffray, out of his abbacy to James Inglis, perpetual vicar of Lerarewade (? Lasswade), in the diocese of St. Andrews, of 10lb. and 5 marks Scots, respectively. James Inglis declares that the two pensions together do not exceed the value of 4½lbs. sterling (*Regest. Vatic.*, vol. 511, fol. 304).

The lady 'Moriella,' mentioned in the commission of Benedict XIII. was the second wife of Albany: 'Muriella, eldest daughter of William de Keith, Great Marischal of Scotland' (see Sir J. Balfour Paul's *Scots Peerage*, i. 148). D.

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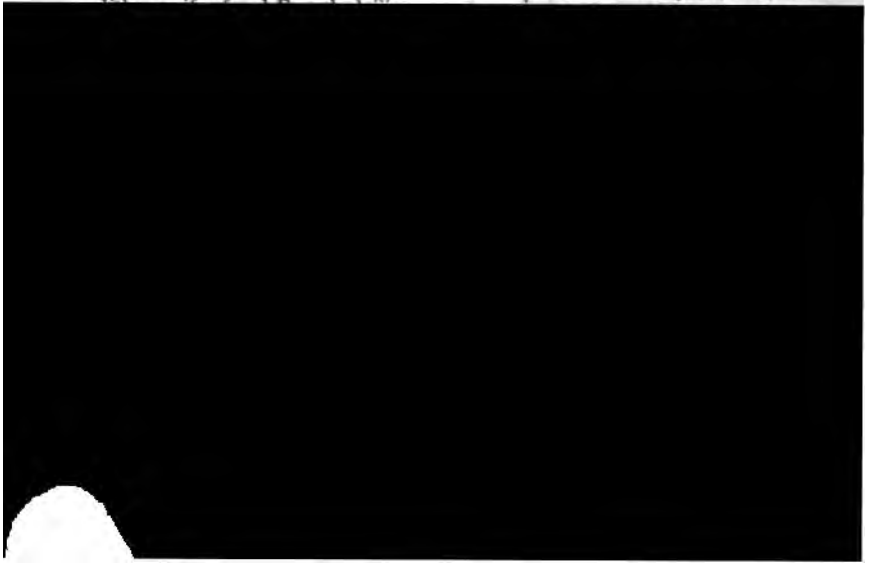

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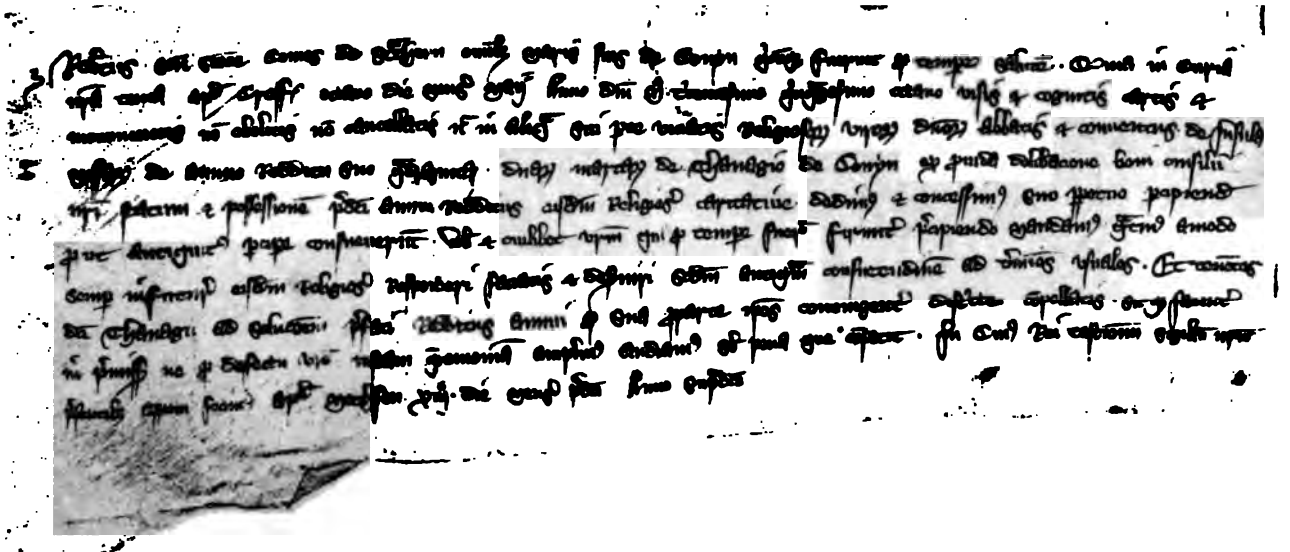

26, EARL ROBERT STEWART'S PRECEPT TO PAY THE ANNUAL RENT OUT OF DUNNING, 1358.
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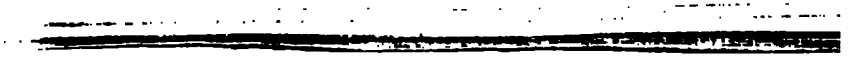
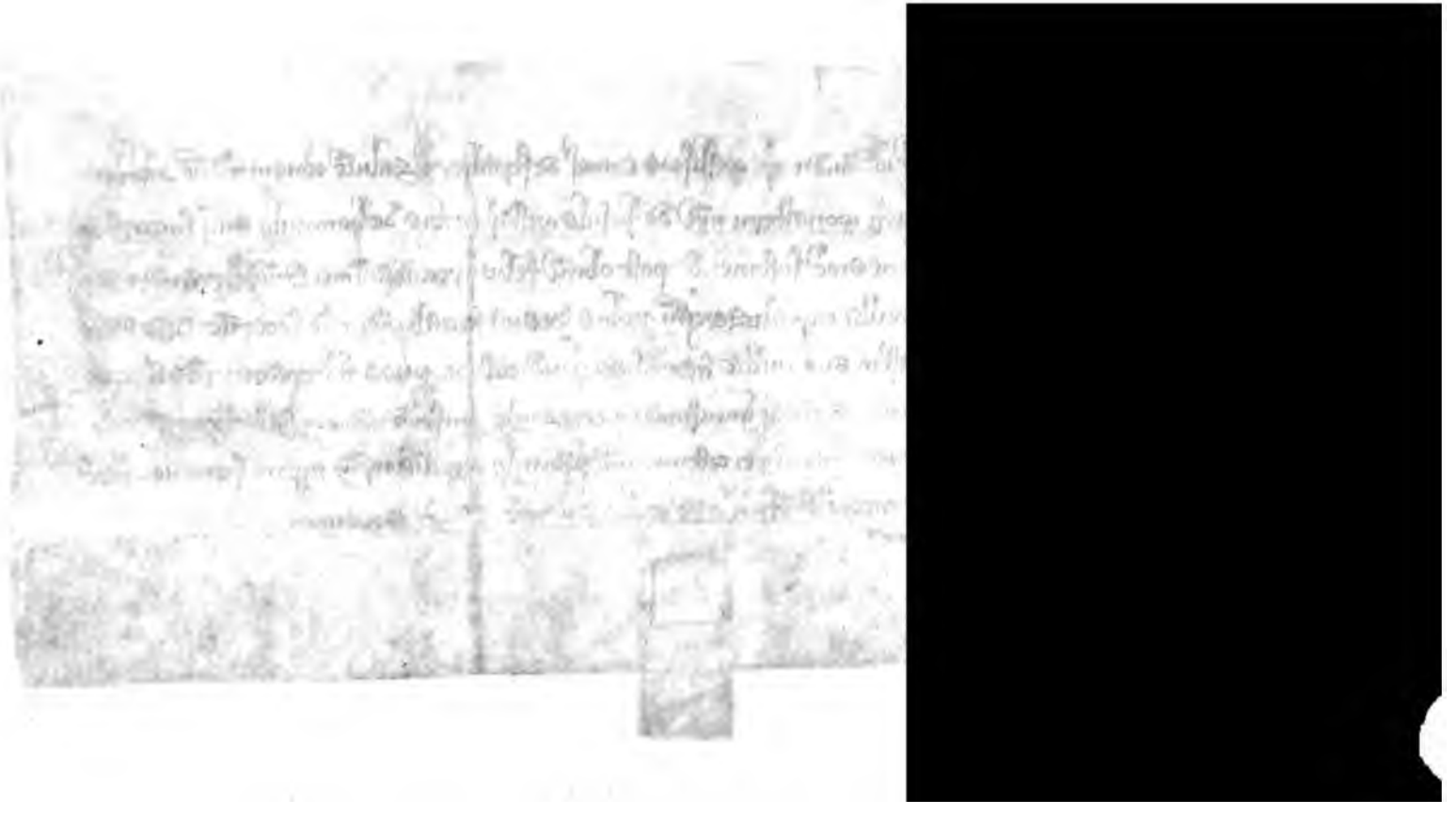
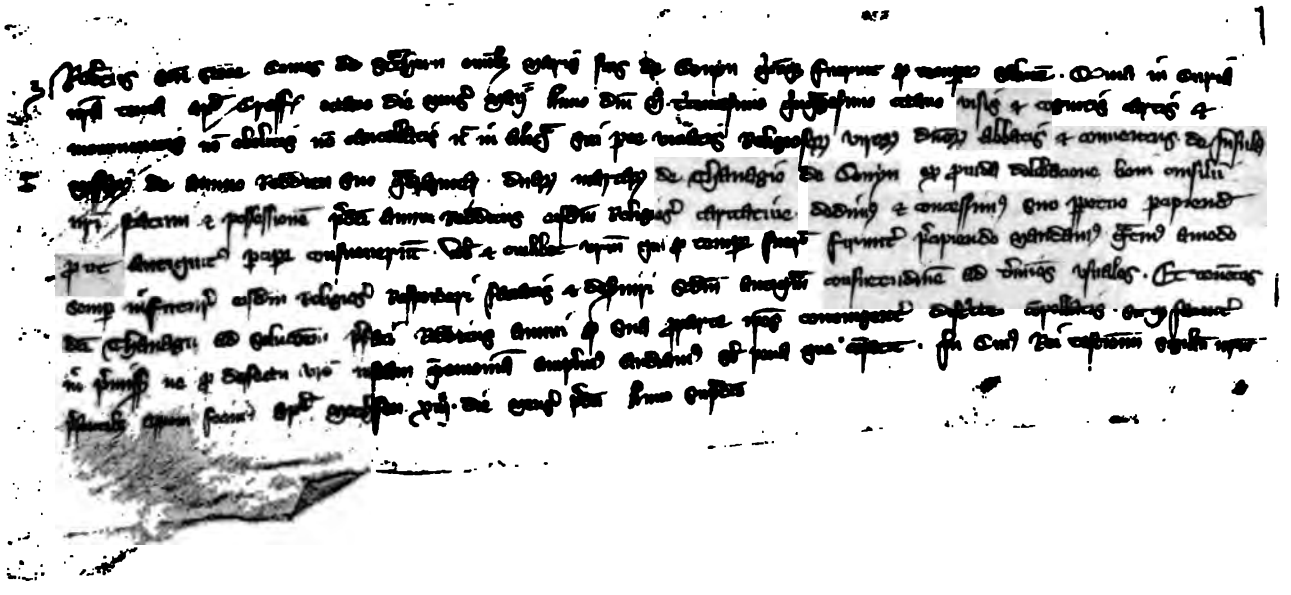


24. EARL MALISE III.'S DECLARATION ANENT AN AID GIVEN BY THE CANONS, 1287. (No. CXVII. p. 110.)



25. KING ROBERT I.'S PRECEPT FOLLOWING ON HIS GRANT OF CAIRNIE, 1318. (No. CXXV. p. 118.)



28. EARL ROBERT STEWART'S PRECEPT TO PAY THE ANNUAL RENT OUT OF DUNNING, 1358.
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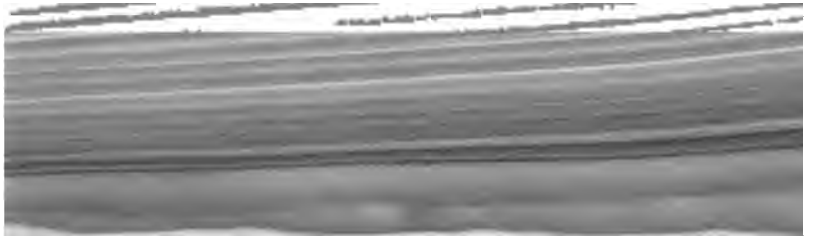

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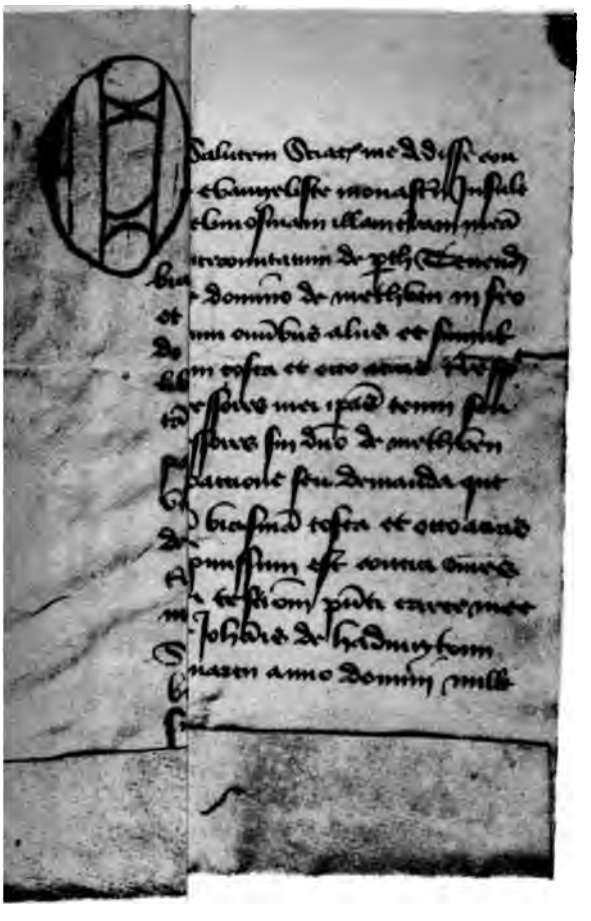
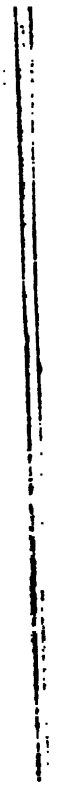
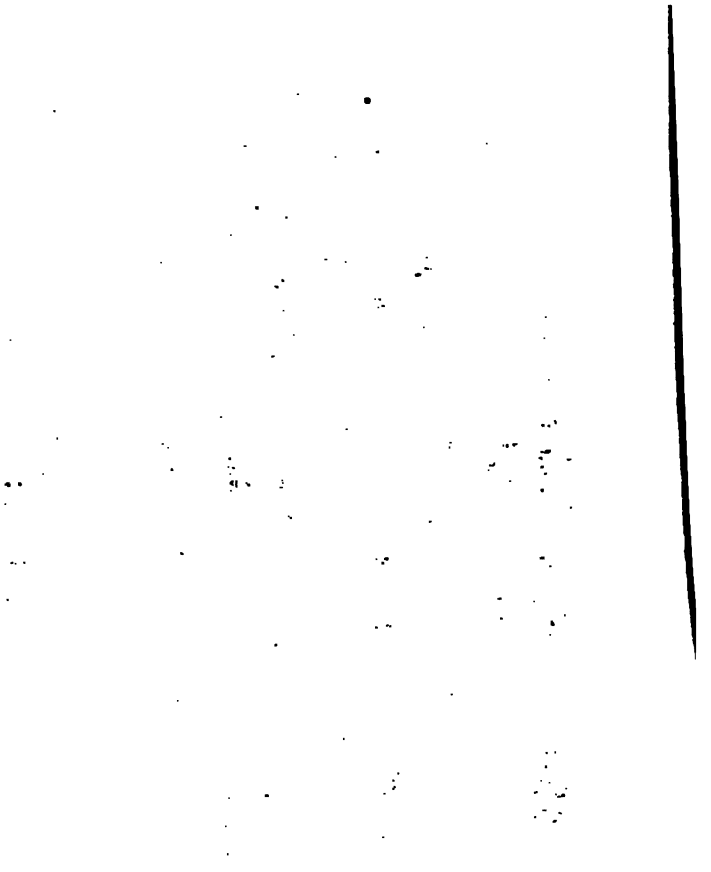
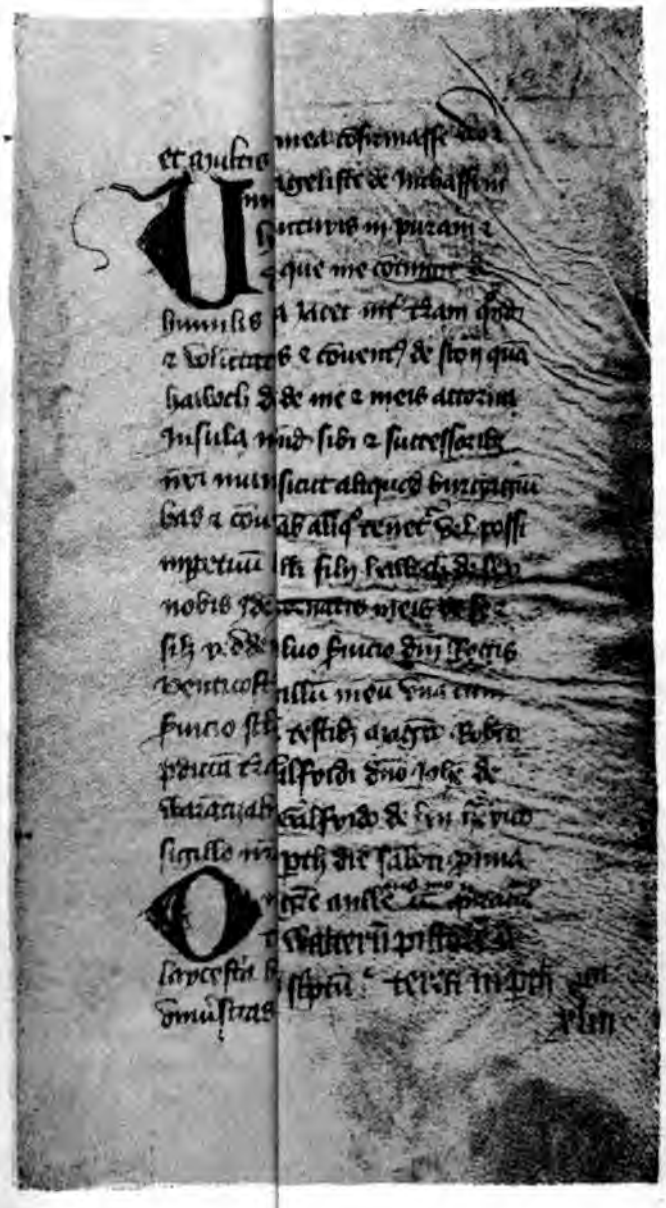


7. p. 138.)





30. EARL GILBERT'S FIRST SEAL (OBVERSE) AND SECOND SEAL (OBVERSE AND REVERSE).



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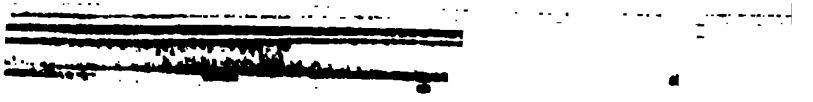


REPORT OF THE TWENTY-FIRST ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

THE TWENTY-FIRST ANNUAL MEETING OF THE SOCIETY was held in Dowell's Rooms, Edinburgh, on the 30th of November 1907, the Right Rev. BISHOP DOWDEN, D.D., LL.D., presiding.

The Chairman expressed regret at the absence of Lord Rosebery, whose speeches, always so bright, so pertinent, so entertaining, gave a distinction on many occasions to their annual gatherings, and were something to look forward to with anticipation, and to look back upon with delight.

The Secretary read the Report of the Council as follows:—

Thirteen members of the Society have died, and four have resigned since the last Annual Meeting. The Society has special reason to mourn the loss of Professor Masson, who, from its inception, rendered such valuable services to it. He presided at the meeting, held on the 17th of February 1886, when 'it was resolved to move in the direction of the formation of a Society for the printing of unpublished documents, illustrative of Scottish History in the widest sense of the term'; and he was a member of the committee which, eight days later, decided that 'the name of the Society shall be the Scottish History Society.' He was also Chairman of the Council from its first meeting (25th May 1886) until his death; and, though latterly unable to attend the meetings,

he never ceased to take a keen interest in the work of the Society.

After the vacancies caused by death and resignation have been filled, there will still be forty-two names on the list of applicants for Membership.

During the past year three Volumes have been issued—

1. The second volume of *Macfarlane's Geographical Collections.*
2. *The Statutes of the Scottish Church.*
3. *Ochtertyre House Booke of Accomps.*

The first two of these were due for the financial year ending in November 1906. For that year there has still to be issued the third volume of *Macfarlane*, which is finished, so far as the Text and Introduction are concerned (320 pages being printed off); but the Index, which is to serve for the three volumes of the work, and is to be included in this one, is not yet completed.

Besides the *Ochtertyre House Booke*, the Council hoped to issue other two volumes for the year which has just closed, viz. :—

1. *The Charters of Inchaffray.*
2. ***A Selection of the Forfeited Estates Papers.***

The first of these, the *Inchaffray* volume, is all printed off except the Index. The volume of ***Forfeited Estates Papers*** has been delayed through the unfortunate illness of the editor, Mr. A. H. Millar, who has, however, now regained his health, and expects to be able to have most, if not all, of the MS. ready for the printers early in January.

For the year which has just begun the Council proposes to issue at least two volumes, viz. :—

1. *Records of the Commissions of the General Assemblies*, 1650-1653. Nearly the half of this volume is already in type, and the editor, the Rev. James Christie, D.D., has carefully collated a considerable portion of it with the original.

2. *Papers relating to the Scots in Poland.* The Council learned of the existence of these papers from Captain Alexander Murray, British Consul-General at Warsaw; and, on his

recommendation, arranged with Miss Beatrice Baskerville to search for, to transcribe, and to edit them. Her researches in the archives of Warsaw and Cracow have been rewarded by the discovery of a vast number of documents. From these she has selected and transcribed 143 of the more interesting and important, belonging to the sixteenth, seventeenth, and eighteenth centuries. Some of them relate to the Scots colonies and the privileges granted to them by the kings of Poland, while others refer to notable Scotch families and individuals. They show that of old the Scots played an important part in Poland; and a number of their descendants are still there. Many of the facts discovered by Miss Baskerville will, it is believed, be quite new to historians. The Council has been fortunate in securing the services of the accomplished authoress of *The Polish Jew*.

Important portions of the long-lost *Diary of Johnston of Wariston* have been found at Mellerstain; and Lord Binning has kindly consented to allow the Society to use them, as also *Lady Grisell Baillie's Day Book*, and other valuable MSS. in his possession. From these, or from MSS. in other collections now under consideration, the Council may issue a third volume for the current year. It may be mentioned that Professor Masson was greatly interested in the *Wariston Diary*, and in the *Papers relating to the Scots in Poland*.

As this is the Twenty-first Annual Meeting, the Society has now attained its majority. It undertook to 'issue yearly two octavo volumes of about 320 pages each'; but it has, not infrequently, issued three volumes a year, and several of them have contained many more than the promised number of pages. Instead of forty-two volumes, the Society has sent out forty-nine, and the three which are now due bring the number up to fifty-two. Over and above these, five volumes have been presented to the members of the Society, one by Lord Rosebery, one by Messrs. T. and A. Constable, two by the Trustees of the late Sir William

Fraser, and one by the family of the late Mr. John Scott, C.B. Forty-two volumes of 320 pages each would amount to 13,440 pages. The forty-nine printed by the Society contain fully 21,000; the three which are due will contain about 1200; and the five which have been presented contain 2000. The total amount, therefore, is well over 24,000 pages. Notwithstanding all that has been done, there is still abundance of valuable MS. material available for publication. Of the intrinsic value of the documents and records already printed, and of the editorial work, the members of the Society are the best judges.

Sir Thomas Gibson Carmichael, Professor Rankine, and Sir James Balfour Paul are the three members of Council who fall to retire at this time; and another vacancy has been caused by the death of Professor Masson. The Council recommend that Professor Rankine and Sir James Balfour Paul be re-elected, and that Lord Guthrie and Mr. W. B. Blaikie be elected as the new members of Council.

Bishop Dowden has been elected Chairman of the Council.

As will be seen from the accompanying *vidimus* of the Hon. Treasurer's accounts, the balance in favour of the Society on the 7th of November 1906 was £618, 5s. 11d., the income for the year 1906-1907 was £529, 3s. 10d., and the expenditure £741, 10s. 1d., leaving a balance of £405,

Masson's mind was cast in the mould of the serious historical student. Sound and discriminating as were his critical estimates of literature, he was at his best when he viewed literature from the standpoint of history. His great work, his colossal work, the *Life of Milton*, which occupied him for more than twenty years, was something much more extensive than a biography of the poet. It was, in truth, a history of Great Britain during more than half of the seventeenth century. It was Thomas Carlyle who spoke of Masson's great work as 'Masson's History of the Universe from 1608 to 1674, which he wished to call the Life of Milton.' Although the Council had already put on record their feelings on the subject, he ventured to ask the general meeting of the members of the Society to authorise him as chairman to convey to the family of the late Professor Masson an expression of the sense of the Society's loss and of their sympathy. They had long hoped for the treatise by Sir Thomas Craig of Riccarton, entitled *De Unione Regnorum*, which Professor Masson had undertaken to edit for the Society, and which was said to be one of the very ablest of the works of the eminent author of *Jus Feudale*. But their hopes had been disappointed.

Their indefatigable secretary had taken the occasion of the Society having reached its majority to tell them the number of well-printed pages that had been issued to the members of the Society since its origin. But what interested them more than the quantity of the fare offered was its quality. The fare was very varied, and fitted to gratify different tastes. They had received the second volume of *Macfarlane's Geographical Collections*, edited by Sir Arthur Mitchell, a weighty and valuable contribution to the study of Scottish topography. They had received Dr. Patrick's translation of the Latin documents published in Joseph Robertson's *Statuta Ecclesiæ Scoticanæ*. And in Dr. Patrick's work they had much more than a translation. They had in the introduction and in the annotations much that helped to make intelligible ecclesiastical enactments that were obscure to the reader occasionally by reason of the corrupt Latin text, but more frequently because it needed special technical knowledge to reconstruct the conditions of Church life in Scotland in the mediæval period. And if any member of the Society found these two admirable volumes rather solid food, he could indulge himself with the kickshaws and other light viands of the *Ochtertyre House Book*, which Dr. Colville had presented with all the artistic skill of an accomplished chef. Yet he ventured to say that the variety of supply afforded by the

Society far surpassed the variety of the daily menu offered to the household of the Murrays of Ochtertyre. The highest flights of imaginative cookery which came from the kitchen of Ochtertyre were, he thought, apples and cream and a fricassee of tripe.

Of the book that would be in their hands in a few weeks, the *Inchaffray Charters*, he was able to speak freely, because his own share in the work had been comparatively small. It would be a first-rate book, and its chief merits, Mr. Lindsay and himself were very conscious, were due to the immense amount of care and trouble bestowed upon it by Dr. Maitland Thomson. The book also owed much to Dr. Thomson's investigations in the Vatican archives—investigations which were pursued up to the very time when the last pages were going through the press.

Sir JAMES BALFOUR PAUL seconded, and the report was unanimously adopted.

Mr. BEATSON BELL, speaking of the interest which Professor Masson took in the work of the Society, said it so happened that Professor Masson and he were very near neighbours in the Highlands this year, and it also happened that the British Consul at Warsaw was a friend of his (Mr. Bell). The British Consul sent him lists, taken from the Warsaw archives, of Scottish names which he could not identify. The fact that they could not be identified was not very wonderful; because evidently they were Scottish names written down to dictation by Polish clerks, and they had thus Scottish names beginning with 'Cz.' About a fortnight before his death Professor Masson went over these names speculating as to what they meant.

The meeting afterwards closed with votes of thanks to the

ABSTRACT OF THE HON. TREASURER'S ACCOUNTS

For the Year ending 12*th November* 1907

I. Charge.

I. Balance from previous year—						
(1) In Bank on Deposit Receipt,	£600	0	0			
(2) In Bank on Current Account,	17	4	11			
(3) In hands of Treasurer, . .	1	1	0			
				£618	5	11
II. Subscriptions, viz.—						
(1) 400 subscriptions for 1906-7,	£420	0	0			
7 in arrear for 1905-1906, .	7	7	0			
3 in advance for 1907-1908, .	3	3	0			
	£430	10	0			
Less 14 in arrear and 1 in advance for 1906-1907,	15	15	0			
				414	15	0
(2) 82 Libraries, . . .	£86	2	0			
1 in arrear for 1905-1906, .	1	1	0			
1 in advance for 1907-1908, .	1	1	0			
	£88	4	0			
Less 3 in arrear for 1906-1907, ...	3	3	0			
				85	1	0
III. Copies of previous issues sold to New Members,				2	9	0
IV. Interest on Deposit Receipts, ...				26	17	10
V. Third Dividend—Cheque Bank, . . .				0	1	0
Sum of Charge, . .				£1147	9	9

II. Discharge.

I. *Incidental Expenses—*

(1) Printing Cards, Circulars, and Reports, ...	£14	2	9	
(2) Stationery and Receipt Book,	3	16	5	
(3) Making-up and delivering Publications, . . .	28	8	4	
(4) Postages and Incidental Expenses of Secretary and Treasurer, ...	6	7	10	
(5) Clerical Work and Charges on Cheques, ...	3	9	3	
(6) Hire of Room for Annual Meeting, ...	1	6	0	
				£57 10 7

II. *Macfarlane's Geographical Collections. Vol. II.—*

Composition, Printing, and Paper, ...	£152	5	0	
Proofs and Corrections, . .	59	13	0	
Translations and revision of Latin,	38	1	0	
Binding 545 copies, . .	18	3	4	
	£268	2	4	
Less paid to account Nov. 1906	128	8	0	
				139 14 4

Brought forward, . . .				£328	16	5
IV. *Ochtertyre House Booke*—						
Composition, Printing, and Paper, ...	£86	0	0			
Proofs and Corrections, . .	19	19	6			
Transcribing MS., . . .	8	18	0			
Backlettering, . . .	0	13	0			
Binding 535 copies, . .	17	16	8			
				133	7	2
V. *Macfarlane's Geographical Collections. Vol. III.*—						
Composition, Printing, and Paper to date, . . .	£77	12	0			
Proofs and Corrections, . .	16	8	6			
				94	0	6
VI. *Charters of Inchaffray Abbey*—						
Composition, Printing, and Paper to date, . . .	£90	18	0			
Proofs and Corrections, . .	37	14	6			
Reproducing Charters and engraving Map to date, .	76	2	6			
	£204	15	0			
Less paid to account Nov. 1906,	84	19	0			
				119	16	0
VII. *Records of the Commission of Assemblies*—						
Composition, to date, . .	£47	4	0			
Alterations, ...	1	3	0			
				48	7	0
VIII. *The Scots in Poland*—						
Researches in Warsaw and Cracow—Miss Baskerville's expenses, ...				17	3	0
Carry forward, . . .				£741	10	1

Brought forward, . . .				£741	10	1
IX. *Balance to next account*—						
(1) On Deposit Receipt, .	£350	0	0			
(2) On Current Account, .	55	19	8			
				405	19	8
Sum of Discharge, .				£1147	9	9

EDINBURGH, 20*th December* 1907.—Having examined the Accounts of the Hon. Treasurer of the Scottish History Society for the year ending 12th November 1907, of which the foregoing is an Abstract, we beg to report that we have found the said accounts to be correctly stated and sufficiently vouched, closing with a balance in Bank of £405, 19s. 8d.—£350 of which is on Deposit Receipt, and £55, 19s. 8d. in Account Current.

RALPH RICHARDSON, *Auditor.*
WM. TRAQUAIR DICKSON, *Auditor.*

Scottish History Society.

THE EXECUTIVE.

1907-1908.

President.

THE EARL OF ROSEBERY, K.G., K.T., LL.D.

Chairman of Council.

Right Rev. JOHN DOWDEN, D.D., LL.D., Bishop of Edinburgh.

Council.

JOHN RANKINE, K.C., LL.D., Professor of Scots Law in the University of Edinburgh.
Sir JAMES BALFOUR PAUL, Lyon King of Arms.
The Hon. LORD GUTHRIE.
WALTER B. BLAIKIE.
ROBERT FITZROY BELL, Advocate.
G. M. PAUL, D.K.S.
DONALD CRAWFORD, K.C.
RALPH RICHARDSON, W.S.
J. MAITLAND THOMSON, LL.D., Advocate.
P. HUME BROWN, M.A., LL.D., Professor of Ancient History and Palæography in the University of Edinburgh.
Sir ARTHUR MITCHELL, K.C.B., M.D., LL.D.
A. FRANCIS STEUART, Advocate.

Corresponding Members of the Council.

Prof. C. H. FIRTH, LL.D., Oxford; Rev. W. D. MACRAY, Ducklington Rectory, Witney, Oxon.; Prof. C. SANFORD TERRY, Aberdeen.

Hon. Treasurer.

J. T. CLARK, Crear Villa, 196 Ferry Road, Edinburgh.

Hon. Secretary.

D. HAY FLEMING, LL.D., 4 Chamberlain Road, Edinburgh.

RULES

1. THE object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the civil, religious, and social history of Scotland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The number of Members of the Society shall be limited to 400.

3. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

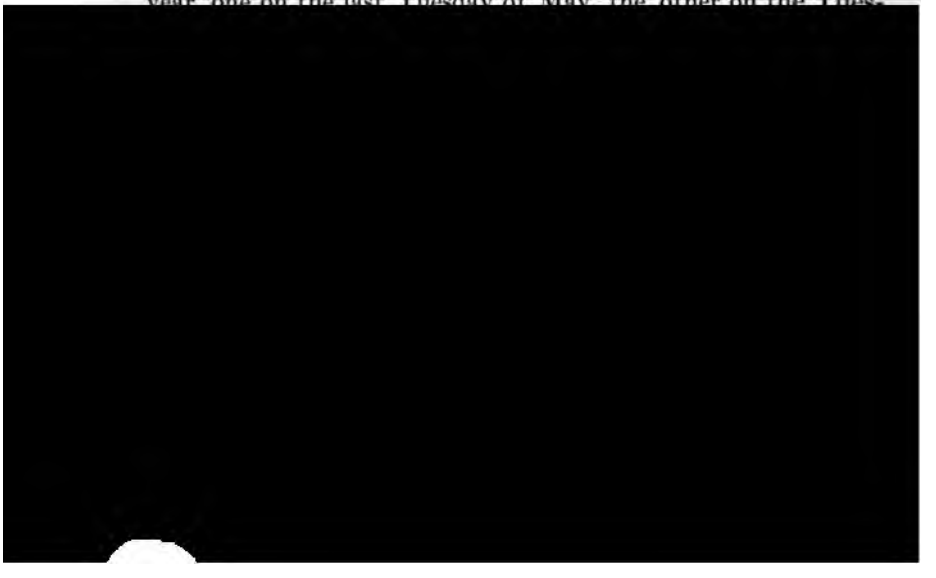
4. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

5. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

6. The Society will issue yearly two octavo volumes of about 320 pages each.

7. An Annual General Meeting of the Society shall be held at the end of October, or at an approximate date to be determined by the Council.

8. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tues-



PUBLICATIONS

OF THE

SCOTTISH HISTORY SOCIETY

For the year 1886-1887.

1. Bishop Pococke's Tours in Scotland, 1747-1760. Edited by D. W. Kemp.
2. Diary and Account Book of William Cunningham of Craigends, 1673-1680. Edited by the Rev. James Dodds, D.D.

For the year 1887-1888.

3. Grameidos libri sex: an heroic poem on the Campaign of 1689, by James Philip of Almerieclose. Translated and Edited by the Rev. A. D. Murdoch.
4. The Register of the Kirk-Session of St. Andrews. Part i. 1559-1582. Edited by D. Hay Fleming.

For the year 1888-1889.

5. Diary of the Rev. John Mill, Minister in Shetland, 1740-1803. Edited by Gilbert Goudie.
6. Narrative of Mr. James Nimmo, a Covenanter, 1654-1709. Edited by W. G. Scott-Moncrieff.
7. The Register of the Kirk-Session of St. Andrews. Part ii. 1583-1600. Edited by D. Hay Fleming.

For the year 1889-1890.

8. A List of Persons concerned in the Rebellion (1745). With a Preface by the Earl of Rosebery.

   Presented to the Society by the Earl of Rosebery.
9. Glamis Papers: The 'Book of Record,' a Diary written by Patrick, first Earl of Strathmore, and other documents (1684-89). Edited by A. H. Millar.
10. John Major's History of Greater Britain (1521). Translated and edited by Archibald Constable.

For the year 1890-1891.

11. The Records of the Commissions of the General Assemblies, 1646-47. Edited by the Rev. Professor Mitchell, D.D., and the Rev. James Christie, D.D.
12. Court-Book of the Barony of Urie, 1604-1747. Edited by the Rev. D. G. Barron.

For the year 1891-1892.

13. Memoirs of Sir John Clerk of Penicuik, Baronet. Extracted by himself from his own Journals, 1676-1755. Edited by John M. Gray.
14. Diary of Col. the Hon. John Erskine of Carnock, 1683-1687. Edited by the Rev. Walter Macleod.

For the year 1892-1893.

15. Miscellany of the Scottish History Society, First Volume—The Library of James VI., 1573-83. Edited by G. F. Warner.—Documents illustrating Catholic Policy, 1596-98. T. G. Law.—Letters of Sir Thomas Hope, 1627-46. Rev. R. Paul.—Civil War Papers, 1643-50. H. F. Morland Simpson.—Lauderdale Correspondence, 1660-77. Right Rev. John Dowden, D.D.—Turnbull's Diary, 1657-1704. Rev. R. Paul.—Masterton Papers, 1660-1719. V. A. Noël Paton.—Accompt of Expenses in Edinburgh, 1715. A. H. Millar.—Rebellion Papers, 1715 and 1745. H. Paton.
16. Account Book of Sir John Foulis of Ravelston (1671-1707). Edited by the Rev. A. W. Cornelius Hallen.

For the year 1893-1894.

17. Letters and Papers illustrating the Relations between Charles II. and Scotland in 1650. Edited by Samuel Rawson Gardiner, D.C.L., etc.
18. Scotland and the Commonwealth. Letters and Papers relating to the Military Government of Scotland, Aug. 1651-Dec. 1653. Edited by C. H. Firth, M.A.

For the year 1894-1895.

19. The Jacobite Attempt of 1719. Letters of James, second Duke of Ormonde. Edited by W. K. Dickson.
20, 21. The Lyon in Mourning, or a Collection of Speeches, Letters, Journals, etc., relative to the Affairs of Prince Charles Edward Stuart, by Bishop Forbes. 1746-1775. Edited by Henry Paton. Vols. I. and II.

For the year 1895-1896.

22. THE LYON IN MOURNING. Vol. III.

23. ITINERARY OF PRINCE CHARLES EDWARD (Supplement to the Lyon in Mourning). Compiled by W. B. BLAIKIE.

24. EXTRACTS FROM THE PRESBYTERY RECORDS OF INVERNESS AND DINGWALL FROM 1638 TO 1688. Edited by WILLIAM MACKAY.

25. RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES (*continued*) for the years 1648 and 1649. Edited by the Rev. Professor MITCHELL, D.D., and Rev. JAMES CHRISTIE, D.D.

For the year 1896-1897.

26. WARISTON'S DIARY AND OTHER PAPERS—

JOHNSTON OF WARISTON'S DIARY, 1639. Edited by G. M. Paul.—THE HONOURS OF SCOTLAND, 1651-52. C. R. A. Howden.—THE EARL OF MAR'S LEGACIES, 1722, 1726. Hon. S. Erskine.—LETTERS BY MRS. GRANT OF LAGGAN. J. R. N. Macphail.

Presented to the Society by Messrs. T. and A. Constable.

27. MEMORIALS OF JOHN MURRAY OF BROUGHTON, 1740-1747. Edited by R. FITZROY BELL.

28. THE COMPT BUIK OF DAVID WEDDERBURNE, MERCHANT OF DUNDEE, 1587-1630. Edited by A. H. MILLAR.

For the year 1897-1898.

29, 30. THE CORRESPONDENCE OF DE MONTEREUL AND THE BROTHERS DE BELLIÈVRE, FRENCH AMBASSADORS IN ENGLAND AND SCOTLAND, 1645-1648. Edited, with Translation, by J. G. FOTHERINGHAM. 2 vols.

For the year 1898-1899.

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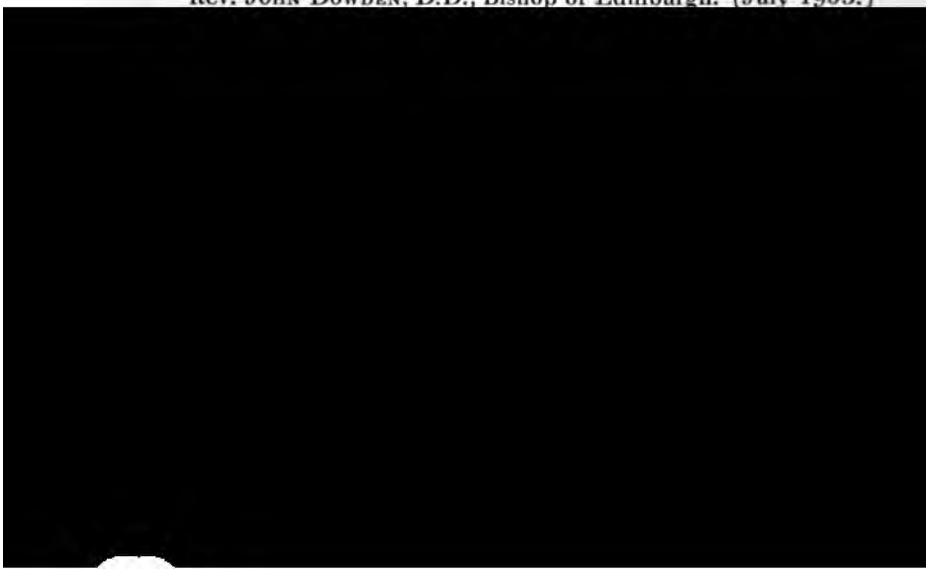

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